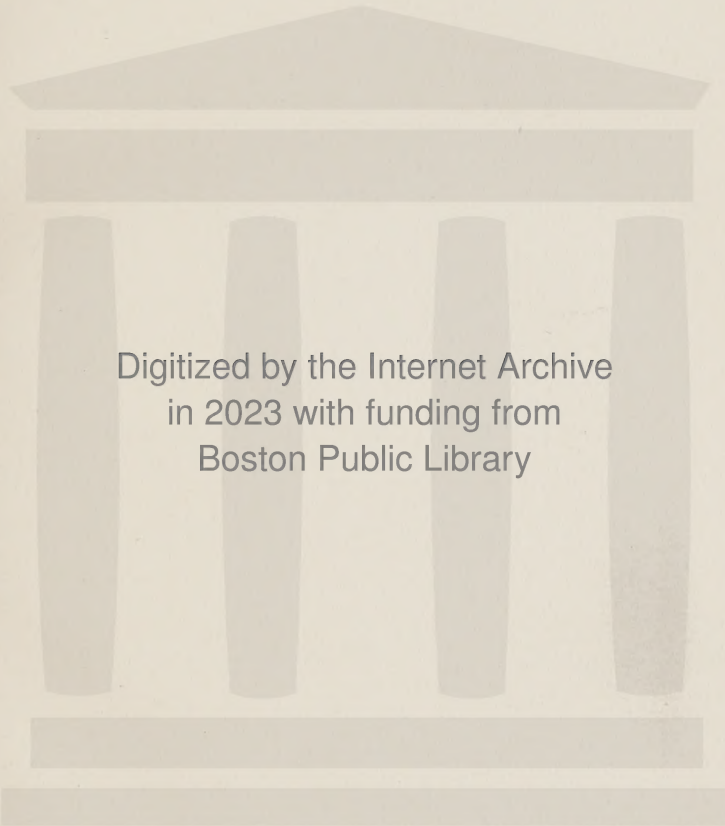


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BOSTON AND NEW YORK

THE CONFISCATION OF
JOHN CHANDLER'S
ESTATE



John Chandler Judge Probate

THE CONFISCATION OF JOHN CHANDLER'S ESTATE

BY

ANDREW McFARLAND DAVIS



BOSTON AND NEW YORK
HOUGHTON, MIFFLIN AND COMPANY

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CALENDAR OF PAPERS RELATING TO THE ES- TATE OF JOHN CHANDLER, AN ABSENTEE.

WORCESTER PROBATE FILES.

1. Certificate of the Committee of Correspondence, etc., of the town of Worcester that John Chandler and others are absentees April 18, 1777
2. Bond of Joseph Allen, Agent, £2000, sureties Benjamin Conklin and Benjamin Greene May 7, 1777
3. Warrant appointing Samuel Curtis, Nathan Perry, and Samuel Miller of Worcester appraisers of property left by Chandler May 7, 1777
Return of appraisers January 1, 1779
Oath of Office January 2, 1778 [1779?]
4. Warrant appointing John Cutting, David Scott, and Enoch Shephard appraisers of estate in Hampshire County May 20, 1778
Oath of Office, John Kirkland August 6, 1778
Oath of Office, David Scott and Enoch Shephard September 22, 1778
5. Warrant appointing David Wilder, Timothy Boutell, and John Richardson, of Leominster, appraisers October 6, 1778
Oath of Office October 8, 1778
Return of appraisers October 8, 1778
6. Warrant appointing John Fry, Esq., Henry Bond, and Pelatiah Metcalf of Royalston appraisers October 6, 1778
Oath of Office October 23, 1778
7. Petition of Mary Chandler November 20, 1778
8. Return of Royalston appraisers November 28, 1778
9. Return of Hampshire County appraisers December 3, 1778
Additional return December, 1778

10. Inventory of the real estate [1779] ?
11. Inventory of the personal estate April 7, 1777
 - Inventory of the real estate January 9, 1779
 - Oath of Agent March 17, 1779
12. Second petition of Mary Chandler March 17, 1779
13. Account of Joseph Allen, Agent, April 29, 1779
 - Jurat May 4, 1779
 - Order of Court May 4, 1779
14. Warrant appointing Samuel Curtis, Esq., Nathian Perry,
and Samuel Brown Commissioners to examine claims September 1, 1779
 - Oath of Office May, 1782
15. Warrant appointing Benjamin Flagg, Esq., Nathan Perry,
Gentleman, and Samuel Miller, yeoman, Commissioners
to set off the wife's third part October 12, 1779
 - Oath of Office December 6, 1779
16. Report of the Commissioners to set off one third December 6, 1779
 - Decree of Court February 8, 1780
17. Account current of Joseph Allen, Agent, Oath of Office
and allowance by Court May 2, 1780
18. Report of Commissioners to examine claims
 - { December 25, 1781
 - { January 1, 1782
 - Order of Court accepting and allowing same May 7, 1782
19. Certificate of claim of John Erving May 20, 1782
20. Certificate of claim of Edmund Hood May 20, 1782
21. Bond of Indemnity, Benjamin Greene and others May 20, 1782
22. Re-appointment of Commissioners to examine claims January 10, 1783
23. Warrant appointing Samuel Salisbury, John Nazro, and
Elijah Dix Commissioners to examine claims February 6, 1783
24. Warrant appointing Daniel Waldo, John Nazro, and Elijah
Dix Commissioners to examine claims February 20, 1783

Return of Commissioners	May 20, 1783
Oath of Office	June 3, 1783
Allowance by Court	October 7, 1783
25. Bond of Indemnity, George Bethune et als.	March 1, 1783
26. Decree of Court allowing return of Commissioners	October 7, 1783
27. Account of Joseph Allen, Agent	[February, 1784]
Blank form of jurat and order of allowance by Court	February 3, 1784
28. Receipt for Certificate of Claim	April 14, 1785
29. Certified copy of resolve of Legislature authorizing appointment of Commissioners to examine claim of Thaddeus and William Maccarty	June 15, 1785
30. Warrant appointing Daniel Waldo, Elijah Dix, and John Nazro Commissioners to examine Maccarty claims	June 1, 1787
Oath of Office	July 9, 1787
Return	July 10, 1787

TRANSCRIPT OF THE COURT RECORDS AT WORCESTER.

Judgments entered in two cases under the Confiscation Act
December 12, 1780

31. *State vs. Chandler.*
Proceedings instituted by Levi Lincoln, appointed for that purpose by the Attorney-General, against John Chandler, for the confiscation of the Royalston property.
32. *State vs. Chandler.*
Proceedings instituted by Levi Lincoln, appointed for that purpose by the Attorney-General, against John Chandler for the confiscation of certain property in and about Worcester.

MASSACHUSETTS ARCHIVES.

33. Certificate of the Committee of Correspondence, Safety, and Inspection of Murrayfield as to real and personal estate of Chandler in that town
May 26, 1777

34. Certificate of Judge of Probate as to Report of Commissioners to examine claims against the estate
May 8, 1782
35. Certificate of Judge of Probate to claim of George Bethone
May 20, 1782
36. Extract from Certificate of Register of Probate as to names of Agents
June 8, 1782
37. Certificate of Judge of Probate as to report of Commissioners to examine claims against the estate
October 7, 1783
38. Statement of Account of Committee for the Sale of Absentees' Estates in Worcester County
April 20, 1784 (?)
39. Receipt of Gad Peirce
no date
40. Memorandum of Expenses on real estate purchased by Levi Lincoln, etc.
no date
41. Bill of Probate Office
June 10, 1784
42. Report of Secretary as to Warrants drawn on Chandler's Estate.

LONDON TRANSCRIPTS.

43. Petition to Lord Germaine for "present support"
September 2, 1776
44. Petition to Lords Commissioners of Treasury for increase
February 17, 1779
45. Certificate of Robert Auchmuty
October 29, 1782
46. Certificate of Thomas Flucker
November 4, 1782
47. Certificate of Thomas Gage
January 28, 1779
48. Certificate of Thomas Hutchinson
January 28, 1779
49. Certificate of Thomas Oliver
January 30, 1779
50. Certificate of Robert Auchmuty
February 17, 1779
51. Minute of proceedings of Board and decision
52. Memorial to Commissioners praying for compensation
February 9, 1784
53. Schedule of Chandler's property annexed to Memorial
February 9, 1784
54. Supplemental Schedule
March 15, 1784

55. Affidavit of James Putnam to loyalty and losses
August 14, 1784
56. Affidavit of Joshua Upham to loyalty and losses
August 17, 1784
57. Affidavit of Abijah Willard to loyalty and losses
July 19, 1784
58. Affidavit of Ebenezer Cutler to loyalty and losses
August 18, 1784
59. Affidavit of Daniel Murray to loyalty and losses
August 17, 1784
60. Certified copy of the Worcester Protest June 24, 1774
61. Certificate of Gov. Hancock as to certain County Officers
October 23, 1783
62. Certified copy of writ of Habere facias possessionem (Royalston property), Date of writ January 24, 1781
63. Certified copy of Judgment Record, Hampshire County, Confiscation suit, entered August, 1781
64. Certified copy of Writ of Habere facias possessionem (Worcester property) January 24, 1781
65. Appointment of Worcester appraisers May 7, 1777
66. Inventory of Personal and Real Estate about Worcester
67. Appointment of Leominster appraisers, October 6, and their return October 8, 1778
68. Appointment of Royalston appraisers, October 6, and their return November 28, 1778
69. Appointment of Hampshire County appraisers
May 20, 1778
70. Return of Hampshire County appraisers
December 3, 1778
71. Oath of Agent March 17, 1779
72. Certificate of Register of Probate October 21, 1783
73. Certified copy of the Judgment Record in the Royalston Confiscation suit December, 1780
74. Certified copy of the Judgment Record in the Worcester Confiscation suit December, 1780
75. Transcriber's note as to three duplicates

76. Certificate of the Proprietor's Clerk of Murrayfield as to
Chandler's Interest October 29, 1783
77. Certificate of Register of Deeds, Hampshire County, as to
Chandler's conveyances October 31, 1783
78. Certificate of Register of Deeds, Hampshire County, as to
conveyances to Chandler October 31, 1783
79. Certificate of the sale, by the Committee, of the Worcester
County estate November 4, 1783
80. Letter from Chandler, enclosing Certificate showing sale of
Royalston estate October 11, 1785
81. Certificate of Governor Bowdoin as to member of Com-
mittee June 9, 1785
82. Certificate of Committee as to sale of Royalston estate
June 18, 1785
83. Certified copy of Report of Committee to set off dower
February 8, 1780
84. Letter from Chandler asking if further evidence is required
November 10, 1785
85. Letter from Chandler enclosing certificates as to sale of his
property February 28, 1786
86. Certificate of Governor Bowdoin as to members of Com-
mittee January 3, 1786
87. Certificate of Committee as to sale of Worcester County
property December 27, 1785
88. Certificate of Committee as to sale of Hampshire County
estate November, 1783
89. Duplicate of 88 November 3, 1783
90. Memorial of Chandler praying for continuance of his allow-
ance during absence from Great Britain May 1, 1787
91. Letter from Chandler as to claims against his estate
August 30, 1788
92. Affidavit of Chandler as to claims against his estate
August 30, 1788
93. Certified copy of the warrants drawn, claims allowed, and
proceeds of sale of Chandler's estate
94. Detailed statement as to claims against the estate
95. Chandler's review of the detailed statement

96. Duplicate of letter of August 30, and enclosure. En-
dorsed November 6, 1788
97. Extract from Anstey's Report
98. Extract from Alphabetical list October 31, 1787
99. Certified copy of Account current with Chandler's estate
October 31, 1786
100. Extracts from volume 83, Audit Office, Loyalist series
101. Final report of Commissioners

THE CONFISCATION OF JOHN CHANDLER'S ESTATE

CHAPTER I

INTRODUCTORY

AT the October meeting of the American Antiquarian Society, 1900, a letter, written in 1828 by Mrs. Lucretia (Chandler) Bancroft to one of her daughters, was communicated. This letter was to a certain extent autobiographical, and its special interest lay in the picture which it furnished of the sudden change in the fortunes of the Chandler family caused by the outbreak of the Revolution. In its pages we catch sight of the flight of the father, Colonel John Chandler of Worcester, who was a loyalist; we note the effects upon his family of the seizure of his property; and we cannot fail to perceive the responsibilities and sufferings entailed upon the children through their changed circumstances. The evident grief of the writer of the letter at the separation from her father, whose name is associated in her mind with reminiscences of domestic happiness in their old home, and is ever mentioned by her with tender regard and affectionate respect,

must arouse the sympathy of even the most casual reader.

In a paper which was read before the Society at the same meeting, Hon. Horace Davis of San Francisco described the members of the family referred to in the letter, and set forth at some length the genealogy of the Chandler family and their connection, through the various offices which they had held, with the history and progress of Worcester County.

A paper was communicated at the same time by myself, which was entitled "Historical Notes on the Letter," — the purpose of which was to add certain biographical facts concerning the writer of the letter, and also such information as I could obtain concerning the sequestration of the estate. The wealth of illustrative material bearing upon the seizure of the property which was disclosed by an examination of the probate files of Worcester County led to the incorporation in the paper of an account of some of the more important of these documents, and an analysis of the laws under which the proceedings were taken. The limitations imposed upon a communication at a meeting of this sort necessarily prevented more extended work in this direction, and lack of space in the pages of the published proceedings precluded the idea of furnishing copies of the original papers. Moreover, it was known that there were many documents in London bearing upon the case, from which additional information could undoubtedly be obtained, so that the publication then

of the material at hand would have resulted in a work avowedly incomplete.

Copies of these London documents were subsequently forwarded to the American Antiquarian Society by the late Benjamin F. Stevens, and through these, in connection with the documents on file in Worcester, the opportunity is now afforded to trace the history of the various proceedings against the Chandler estate, and simultaneously to identify with reasonable certainty the several resolves or acts under authority of which the different steps were taken. The documentary evidence bearing upon the seizure and confiscation of the estates of loyalists which has been preserved in Massachusetts is so full that it is quite possible there may be other cases in which the accessible papers would furnish equally vivid object-lessons of the application of this legislation, and in which an examination of the resolves furnishing authority for the official action would as well bring out the various features which the historian might consider of importance.

One of the most interesting points suggested by an analysis of this legislation is the contest between those lawmakers who at the outset would have thrown off all restraint, and those more conservative, who so shaped the earlier legislation of this sort that in its phraseology, at least, it would have been justifiable in case of a reconciliation with Great Britain. It is possible, indeed, that the case of some refugee nearer Boston would, by its closer touch with the circumstances which led to some of this

early legislation, bring forth with greater force the phase last alluded to, but it is not likely that any case will better illustrate the various points involved in the general legislation on the subject.

It was doubtless true that so long as the legislative body styled itself a Provincial Congress, it still regarded the local government as subordinate to Great Britain. Nor did the change in name to a Colonial Assembly carry with it any idea of separation from the Crown. Caution was therefore natural in the legislation of the provincial and of the colonial periods, and it is not surprising to find that in many of the resolves ordering the seizure of the property of loyalists, there is an underlying idea of a possible future accounting. Why this state of mind should have survived after the abandonment of the colonial theory, even though the State for a time did not adopt a constitution, is not clear, yet it was not until 1779 that the Confiscation Act was passed, although the seizure and sale of the personal property and the appropriation of the rents derivable from the real estate were in the mean time accomplished through various resolves, which were ultimately superseded by an act which was euphemistically entitled "An Act to prevent the waste, destruction, and embezzlement of the goods or estates of such persons who have left the same and fled to our enemies for protection; and also for payment of their just debts out of their estates."

The first of the papers connected with the Chandler case is dated April 18, 1777, but references in

subsequent papers to anterior events show that before the passage of the act to prevent the waste, destruction, and embezzlement of the goods or estates of refugees, the property of Chandler in Worcester had been seized by the committee of correspondence.

Thus we have proceedings inaugurated under authority conferred by the resolves passed prior to this act, and as we examine the papers in their chronological arrangement, we find steps taken which illustrate not only every section of the act, but also the amendments to it, until finally we reach the proceedings under the Confiscation Act and the sale of the real estate.

There can be but little doubt that a review of these proceedings, accompanied by copies of the original papers, will be of value to historical students. Some interest will naturally be excited in the fate of the victim of these proceedings who, driven from Worcester by the ill usage of his fellow townsmen and prohibited by legislation from returning to his former home, died a lonely exile in London. Although but little is known of his career after he went to London, we can learn something about him, and such information as is at hand will be found in the next chapter.

CHAPTER II

JOHN CHANDLER, LOYALIST

THE branch of the Chandler family to which belonged the refugee whose fortunes we are following settled in Woodstock, then a part of Massachusetts. There were four Johns in succession, and it was through the energy of the first of them that the family fortunes began to rise. The progenitor, William Chandler of Roxbury, seems to have been incapable of taking care of himself. It was under his son John that the move to Woodstock was made, and it was due to his thrift that the second John had a fair start in life.

In the paper communicated to the American Antiquarian Society, which has already been referred to, Hon. Horace Davis says of the latter: "He accumulated a comfortable property; he represented Woodstock in the General Court, and served in the Indian Wars with some distinction as Major and Colonel. When Worcester County was formed in 1731, he was made Probate Judge and Chief Justice of the Court of Common Pleas, and he was for seven years a member of the Governor's Council."

Of his personality we have but a shadowy outline, but chance has preserved for us an address made by

him to the Grand Jury on the 5th of February, 1734, at the first court of general sessions held in the first court house built by the county of Worcester. An account of the proceedings on that occasion is given in the "Weekly Rehearsal" of February 18. The speaker, whose identity with Hon. John Chandler of Woodstock was established by Rev. Dr. Bancroft,¹ was evidently a man of some cultivation. He approaches the subject of the dedication of the building in an apologetic tone, as if he feared that his participation in the affair might be construed into an approval of "the superstitious custom used by many in the world, of dedicating or consecrating to saints or angels, places built for public use and service." His opinion was that they should dedicate themselves to the service of God. He praised the new court house, which, he says, exceeds "so many others in the Province built for the like service, in the capaciousness, regularity, and workmanship thereof." He quotes from the Old Testament, asking the gentlemen of the jury wherein they "can be better instructed than in the charge given by Moses, at the command of God, to the officers of the tribes of Israel," and he winds up his charge to the jury with a stated approval of their past conduct, which, however, he cautiously qualifies with the limitation, "as far as I have observed."

This brief speech enables us to get a much clearer conception of the man than is to be derived from

¹ See sermon delivered January 6, 1811, published in Worcester, 1811, note *a*.

the mere rehearsal of the offices that he held, or from any narrative of his life which can be constructed from the events known to us in connection therewith.

With reference to the career of the third John, Mr. Davis says that he "moved to Worcester, where he held pretty much every office in the County. He was Selectman, Town Treasurer, County Treasurer, Sheriff, Register of Probate, Register of Deeds, Probate Judge, Chief Justice of County Courts, Representative to the General Court, Colonel in the Militia, and a member of the Governor's Council. He was also appointed by Governor Shirley, in 1754, a delegate to the proposed congress designed to concert measures for the union of the British American Colonies. He died in 1762, wealthy and full of honors. In him the family reached its zenith."

In further evidence of the prominent position which he occupied in public affairs, it may be mentioned that he was one of the three commissioners named by the assembly in the "Act for the more speedy finishing of the Land Bank or Manufactory Scheme," which act was passed by the General Court, January 15, 1742-43. This office he accepted, but the labor connected with it was found to be much more irksome than was anticipated, and the performance of the duties was practically incompatible with a residence in Worcester. He therefore resigned very soon after the organization of the commission. He also held for a number of years the office of Clerk of Courts for Worcester County.

His son John, the fourth of that name, was the refugee. He was born February 26, 1720-21. To quote again from the paper of Hon. Horace Davis, "He was Selectman, Town Treasurer, Town Clerk, County Treasurer, Sheriff, Judge of Probate, and Representative to the General Court. He was also Colonel of the Worcester Regiment, and in 1757 saw active duty in that capacity."

"Up to 1774," adds Mr. Davis, "Chandler's life had been one of almost unbroken prosperity, but when the storm of rebellion against England broke out, his loyalist sentiments brought him into angry opposition to popular feeling, and he was compelled to leave home and family and retire to Boston. When Boston fell into the hands of the Continental Army, he fled to Halifax, and thence to London, where he spent the rest of his life, twenty-four years. This experience gave him in Worcester the nickname of 'Tory John,' while in England he was called the 'Honest Refugee,' because of the modesty of his claims against the British Government for losses sustained by reason of his loyalty." In addition to the offices above enumerated, Colonel Chandler was for many years a member of His Majesty's Council, and held at the time of the outbreak a commission in the Court of General Sessions of the Peace.

In the fall of 1774, when the bitterness of feeling engendered by the political contest then going on between the tories and those who subsequently were denominated the "patriots" became so strong that

discussion was abandoned and threats against, and sometimes personal violence upon, the weaker party were substituted, John Chandler was living in comfort in his spacious homestead in Worcester. Up to that time his life had been not only uniformly prosperous, but entirely free from serious trouble. From his father he must have inherited considerable property. The various offices which he held furnished revenue, and in addition, he was interested in a store, the profits of which increased his income. He owned several farms in the immediate vicinity of Worcester, all of which, under the circumstances of life then existing in Worcester County, were easily to be rented. One of these farms he retained for his own use, and from it he could readily supply his household with a large part of the food necessary in an establishment conducted upon so generous a scale. His daughter says in the letter communicated to the American Antiquarian Society that he distributed his bounties among those of his fellow citizens who needed help, including, indeed, among the beneficiaries some of those who afterwards joined in making life in Worcester impossible for him. There can be but little doubt that if he had died before the crisis came, he would have left behind him the reputation of an honored citizen who was well beloved by his friends and neighbors.

From the letter referred to above, we learn that there were about fifteen beds to be made up each day in the Chandler household. In a petition presented by Chandler to the Lords Commissioners of

the Treasury, the statement is made that the petitioner left behind him sixteen children. The oldest of the sixteen was then a man upwards of thirty years of age, and while it is clear that most of the children were then living at the old home, it is not probable that all of them were. Be that as it may, the household was evidently a large one, and though it is quite certain that in a New England country home the younger members of the household would have been called upon to assist in taking care of the house, still so large a family required servants. The actual staff is stated in the letter to have been a good cook, a second woman for chamber work, a girl to tend the youngest child, and a black girl trained to table service and household work. The house was liberally furnished, as is evident from the inventory made at the time of the appraisal of the personal property, even though the plate, the linen, and the library, previously concealed, do not appear in it.¹ Mrs. Chandler had lawns and laces, and a special woman to care for them and for the linen.

These facts, gathered from the letter, furnish us with an idea of the character of the home to which the father of the family was accustomed to come each day to his midday meal, and to which he returned every afternoon at the close of his labors. We can also from the same source obtain a glimpse of the household life, and can see the colonel, as he

¹ These things were undoubtedly sent to Boston. Sabine says in his *Loyalists* that Colonel Chandler derived his means of support while in Boston from the sale of the silver.

was generally styled, seated by the fireside smoking his pipe and caressing his little daughter. His daily after-dinner glass of wine recalls the customs of the times, and hints at the possibility of more copious indulgence when the hospitable dinner-table was surrounded by guests. From various sources we have evidence of the affectionate and confiding nature of the ties which bound the family together, and of the tender relations which existed between the refugee himself and his wife.

Such was the home which fidelity to political principles compelled Chandler to abandon, and such were the happy circumstances of life from which he was obliged to tear himself, unless he would give adhesion to the new ideas promulgated by a party with which he had no sympathy. It was natural that he should be a loyalist. It was inevitable that, as the time of actual outbreak approached and party lines were drawn tighter and tighter, the patriots should entertain towards him some of the feelings of abhorrence with which tories were then regarded. The decline of his popularity with his fellow citizens could not, under these circumstances, have been avoided. In his case, however, matters were brought to a crisis by two acts committed by him, which aroused the indignation of his fellow townsmen of the revolutionary party, and in the end brought humiliation upon him and upon all who were associated with him in the commission of these acts. The first of these was the signing of an address to Governor Gage; the second, the signing of the

famous protest by the Worcester tories against the proceedings of their fellow citizens of the patriot party, and especially against the acts of the Worcester committee of correspondence.

There was no reason for him to suspect the important results which would follow from his joining in the address to Gage, but the signing of the protest carried with it inevitably the consequence that it would irritate and annoy a preponderant majority of his fellow townsmen, already greatly excited and in a turbulent mood. Lincoln characterizes this protest as "one of the boldest and most indignant remonstrances of the friends of royal government among the productions of the times."¹

Clark Chandler, a son of Colonel Chandler, the town clerk, who enrolled it upon the records, was compelled publicly to expunge it, and was publicly admonished for recording it. Not content with this, the revolutionary party brought the matter before "The Committees of Correspondence and delegates of the several towns met in Convention," and it was "Voted: That three persons be chosen a committee to acquaint John Chandler, Esq. and the other protesters, that they must follow after the judges through the ranges [ranks?] of the body of the people; and that they go immediately after the judges and read their recantations."²

Lincoln describes the enforcement of this extraordinary punishment in the following words: "The

¹ This protest is to be found among the London transcripts, *post*.

² *Journals Prov. Cong. and Com. of Safety, etc.*, pp. 635, 636.

signers of the protest had been informed by the committee of correspondence that apology for their opposition would be required from them. Forty-three of them had met the evening previous ¹ to this visitation at the King's Arms Tavern, and having subscribed an acknowledgment of error and repentance and received an instrument purporting to restore them to favor, and insuring protection, they had mixed in the crowd, unsuspecting of any insult. Those who appeared were collected by the revolutionary magistrates, and on the arrival of Mr. Paine, were escorted through the ranks, halting at every few paces to listen to the reading of their several confessions of political transgression. Having thus passed in review and suffered some wanton outrage of feeling, in addition to the humiliation of the procession, they were dismissed."

The same convention which had decreed this degrading ceremonial as a punishment for the expression, in dignified phrase, of a set of political opinions, also voted, on the following day, to accept the acknowledgment made by six citizens, of whom John Chandler was one, "for aspersing the people of this county, in a late address to Governor Gage." They also voted: "That the Justices who addressed Governor Gage at the last session of the Court be brought before the convention and make and sign a declaration in writing, of the inadvertence of their proceedings." The record then goes on, "Which is done, and the declaration is as follows: —

¹ August 21, 1774.

"Whereas the Committee in Convention have expressed their uneasiness to a number of the justices of the common pleas and general sessions, now present in the Convention, who, in an address to Governor Gage, at their session in June last, aspersed the people of this County; these justices, in the presence of the Convention frankly declare, that they precipitately entered into the measure; they are sorry for it; and they disclaim any intention to injure the character of any; and were the same measure again proposed, they would reject it."

John Chandler was, under compulsion, one of the signers of this document.¹

Lincoln, speaking of the situation of the royalists at that time, says: "Most of the protesters had been induced to make a submission. Some who refused were waylaid and cruelly beaten. A few remained obstinate and finally retired into exile. Others, unable to separate themselves from their friends and country and to sacrifice all they held dear, were persecuted into compliance with the public will, and at length purchased safety for person and property by soliciting forgiveness in terms more humiliating in proportion to the time it was deferred."²

The condition of affairs portrayed in the events which have just been described brought vividly before Chandler the impossibility of his remaining with safety longer in Worcester. His daughter puts it that he was not willing to live in altercation with those around him, but this is hardly strong enough to cover the situation. An officeholder and the son of an officeholder, who had been bred with the

¹ *Journals Prov. Cong., etc.*, p. 638.

² *Lincoln's History of Worcester*, Hersey's reprint, p. 90.

belief that loyalty was a duty, he could not permanently sacrifice his opinions, even though, to escape violence at the hands of a mob, he had purchased temporary safety by signing a recantation. He, therefore, in the fall of 1774, sought protection in Boston, where he remained upwards of sixteen months. While there he was enrolled in a company of loyalists, and cheerfully did military duty in defence of the town. When Boston was evacuated, he accompanied the British troops to Halifax. In July, 1776, he went to England, and from that time down to November, 1786, he remained uninterruptedly in London. During this interval the possibility of his ever being permitted to return to his family was removed by the passage in October, 1778, of the "Act to prevent the return to this state of certain persons therein named," etc. John Chandler and Rufus Chandler, his son, were therein named. If they should return in spite of the act, sheriffs, committees of correspondence, grand jurors, constables, tithingmen, and other inhabitants of the town to which they might come were empowered and directed to apprehend them and take them before a justice of the peace, who in turn was directed to put them in jail until they could be deported. If they should venture to return a second time, the penalty was death.

Colonel Chandler was accompanied in his exile by his son, Rufus. In 1784, he wrote to his daughter, Lucretia, "Your brother Rufus lives in my neighborhood. We dine together every day. It is a

comfort to me." This letter is full of tender grief for his lost wife, whose death had taken place about six months before, and of gratitude to his sons for their care of his daughters. It closes with a paragraph which will bear the interpretation that, notwithstanding the "Act to prevent the return," etc., he still had a faint hope that he might be permitted some day to rejoin his family. "I long," he says, "for the happy day when I may see all my dear children, but whether I am to be so happy, time must determine. Pray God bless, keep, and preserve you. My love to all my near and dear connections."

On the 25th of July, 1786, he received permission from the commissioners for inquiring into losses by American loyalists to receive for a period of twelve months his allowance for temporary support, during absence from Great Britain. Fortified with this assurance that his only means of livelihood would not be jeopardized by the step, he went to Nova Scotia, where he arrived in November, 1786. The permit to receive the allowance while absent from Great Britain was for twelve months only. In May, 1787, being then in Halifax, he petitioned for an extension of the permit for another twelve months. In this petition he states, "That being an old man, aged more than sixty-six years, he did not leave England with any intention of doing business, and wishes to remain in Nova Scotia only for the purpose of being with his children, having two sons in that province and a daughter married to a Mr. Putnam of New Brunswick."¹

¹ The petition is among the London transcripts, *post*.

His son Rufus accompanied him on this transatlantic trip. The dependent condition of the father and son being distasteful to them, they went to Halifax, expecting that Rufus would be able to open a lawyer's office and earn a living. By this time (May, 1787) they had made up their minds that this was impracticable, and were about to start for Annapolis to see what chance there was in that place.¹

A letter from Colonel Chandler dated Annapolis Royal, August 30, 1788, a copy of which is given hereafter among the London transcripts, shows that if they went to Annapolis when they expected to, they stayed there upwards of fifteen months. Shortly after this they must have returned to London, as the extension of the permit to receive the allowance during absence from Great Britain, which was granted upon petition, was limited to the 10th of October, 1788.

Colonel, or as he was sometimes called Judge, Chandler died in London, September 26, 1800, and was buried at Islington. His death called forth the following obituary in the "Gentleman's Magazine" for October, 1800: "In Edgeware-road, John Chandler, Esq., an American loyalist, who from his attachment to the good order and peace of society, and affection to the British Constitution, left his country, a numerous family, and affluent estate, and took refuge in Great Britain. Fully convinced of the truth and propriety of an observation of an antient writer: 'Fear thou the Lord and the King,

¹ Letter of Rufus, *N. E. Hist. and Gen. Reg.*, vol. xxiv. p. 247.

and meddle not with them that are given to change,' he exemplified it by a pious and loyal, a peaceful and inoffensive conduct; and died, at eighty, an honest man, a good member of society, and a pious Christian."

Peter Whitney, when he published his "History of the County of Worcester" in 1793, was too close to the Revolution to say anything in favor of Tory John, who was still alive, but he thus speaks of the family: —

"The Town of Worcester in particular and the County of Worcester at large were originally greatly indebted to the Hon. John Chandler, Esq. of Woodstock, the first judge in the County, and his son, the first Col. John Chandler of Worcester, who, in process of time succeeded his father in all his offices, titles and honors, for their address, activity and enterprise. And their names ought to be held in grateful remembrance."

Just prior to the appointment in London of commissioners to investigate the claims of American loyalists, the Board of Treasury made an independent investigation. In their decision of Chandler's case they say: "This gentleman was in a most respectable situation in life and has been spoken well of, by every one who has spoken of him at all."¹

¹ This opinion was based upon the certificates to character and losses filed with the Board. They were furnished by ten well-known men, among whom were Governor Hutchinson, General Gage, Thomas Flucker, at one time secretary of the Province, Thomas Oliver, and Robert Auchmuty. The certificates of these gentlemen, with others, are to be found in the London transcripts, *post*.

Joseph Willard, in his address before the members of the bar in 1829, speaks of the distinguished family of the name of Chandler "who had had extensive and almost unbounded sway in the County, ab primo origine."

William Lincoln, in his "History of Worcester," says of John Chandler: "He was cheerful in temperament, engaging in manner, hospitable as a citizen, friendly and kind as a neighbor, industrious and enterprising as a merchant, and successful as a man of business."

Jonathan Peele Dabney, in the "Christian Examiner," in July, 1847, said: "The Hon. John Chandler of Worcester, whose sons and daughters were as numerous as those of his royal master, and with whose family every other leading family of the region was proud to entwine itself by marriage alliance, sleeps far away from the town and shire of whose honors he had almost the monopoly, and the very name had there died out, as we learn from Lincoln, a full generation ago."

Lorenzo Sabine, in his "Loyalists," says: "The late President Dwight spoke of Colonel Chandler and his family as distinguished for talents and virtue."¹

The American Antiquarian Society possesses a portrait of Colonel Chandler. A steel engraving of this portrait was prepared for Dr. Chandler's family genealogy, and the same plate was used for the illustration of Hersey's reprint of Lincoln's "His-

¹ Sabine's *Loyalists*, vol. i. p. 303.

tory of Worcester." The engraving bears the date of 1764, and gives Chandler's age as fifty-three. Without stopping to analyze these figures, I assumed in my paper before the American Antiquarian Society at the October meeting, 1900, that they were correct, and said that although the portrait depicted a man whose career theretofore had been absolutely free from care, and whose relations with his family were shown by the repeated references in his daughter's letter to the affectionate manner in which he treated her, still the impression derived as to the state of mind of the subject from the contemplation of the portrait was that of sadness. To this I added, "If the picture had been painted a few years later, one could understand this, for the time came when his loyalty to the government converted this wealthy officeholder into a proscribed fugitive, whose right to tread Massachusetts soil was by special legislation denied him, while his wife, if she would avail herself of the dower rights set out from his property for her support, was compelled to remain within the limits of the United States." I have since been informed by my brother, Hon. J. C. Bancroft Davis, that the picture was painted in London. This of course fully accounts for the sad expression which it bears. An examination of the inscription on Dr. Chandler's engraving shows that there is an error of ten years either in the date or the age. Judge Chandler was born in February, 1720-21, and his fifty-fourth year would have fallen in 1774, a year full of troubles and not a time for portrait painting.

We have followed the course of the exile to the end. A word remains to be said concerning the fortunes of the family. For a little over two years it would seem that they were left in possession of the estate. Then the personal property was seized, and possession was taken of the real estate in the vicinity of Worcester by the local committee of correspondence and inspection. A portion of the household goods was assigned to the use of the family, and the remainder was sold at auction. How galling to them this was may be inferred from the comments in the letter of Mrs. Bancroft, where, speaking of her mother being present at the sale, she says: "While her furniture was sold in her own house, and the very chair on which she sat bid off from her purchase. She bore it well, and never put herself down by losing her dignity." In the ultimate division of the property, enough real estate, including the homestead, to make up one third of the total appraised value of the estate was assigned to Mrs. Chandler for use during her life, provided she remained within the United States. While this was sufficient to protect the family from want as long as she should live, their entire relations to life were changed. In place of luxury and ease, they now had to work and to economize to make both ends meet.

The death of Mrs. Chandler raised a new set of questions. All rights of the family in the real property ceased with that event. This was partially rectified by special legislation, through which the

children remaining at home were put in possession of a part of the property, the details concerning which are given further on.

The social prestige of the family, which is alluded to in some of the notices which have been quoted, was doubtless due in part to the wealth accumulated during successive generations of peaceful prosperity. Stripped of that wealth, the posterity of the refugee no longer held claim for social position on that ground. Yet it cannot be said that Chandler's descendants have, for that reason, failed in their hold upon the esteem of their fellow citizens. The daughter whose letter has called forth this investigation married Aaron Bancroft, a clergyman, who became a recognized leader in the Unitarian denomination, and was president of the American Unitarian Association from 1825 to 1836. He wrote a life of Washington which has gone through several editions and has been quite recently republished.

In the next generation, George Bancroft the historian is to be found, who filled many public offices with great distinction, but whose name is better known through his literary work as the author of the "History of the United States." Two of the granddaughters of the refugee were married to men, both of whom were members of Congress and governors of Massachusetts, one being in addition a United States Senator. The male descendants of the next generation furnish the names of several who achieved distinction in public life, and

others who acquired renown in the army and in the navy. The fourth generation from the refugee has contributed to the public life of the country, but most of this generation are still too young to have made their mark. The fifth is represented in this world, but its history is as yet unwritten. It is indeed true that the voice of the sixth generation has been heard by a privileged few.

CHAPTER III

LEGISLATION

AN examination of the several resolves passed by the committee of safety and the provincial congress in Massachusetts, and later the resolves and statutes passed by the "assembly of the colony," will reveal the fact that there was some authority to be derived therefrom for nearly every outrage committed upon the property of the loyalists in the name of the committees of the several towns. No such legislation exists, however, under cover of which assaults upon the person could be justified. The great dramatist represents the brawlers in the streets of Verona, even while carrying out the traditions of the houses to which they belonged, as discussing whether they had the law on their side before they would take their chances of injuring their opponents in a street fight. Not so the patriots. However scrupulous they might be in seeking the protection of the law before invading property rights, they did not hesitate to maltreat offending tories in a lawless and scandalous manner. If acts of this sort were perpetrated by members of committees, they were subsequently brought under the ægis of the law. Any member of any of the committees of correspondence, etc., at any time prior

to the Declaration of Independence, who made any mistake in the seizure of property, or in apprehending or confining any person, was, by a law passed for that purpose, screened from suits for damage.¹

The resolves and the statutes of this period also tell the story of the progressive change of feeling towards the loyalists which accompanied the growth of belief that the colonies might prevail, and that a separate government might be the result of the contest then going on. Even before the first collision at arms, many loyal citizens sought protection in Boston from the abuse of their former friends and neighbors. So long as there was no form of government except that under the charter, there was no such thing as an abandonment of property involved in taking such a step as this, but after the organization of the provincial congress, Massachusetts was for a time practically under two governments, the one having control in Boston, the other covering the rest of the province. When, therefore, after the battle of Lexington, citizens of the towns near Boston fled to that place, their flight was in some cases, at least, accompanied by an abandonment of property. In some instances relatives were left in charge of the homes thus deserted, but there were many prominent men who felt that personal safety was the first consideration, and who, being entirely

¹ An Act to indemnify and secure from prosecutions in law persons who, by their laudable exertions under the late government of the King of Great Britain, have exposed themselves to actions of damage, and other prosecutions, in certain cases; passed April 10, 1780. *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1169.

unprepared for the unexpected situation, were compelled to leave their homes without having had a chance to install representatives. Property thus abandoned was exposed to pillage. Its protection was the first thought of the authorities. At that time sequestration could not have entered the mind of anybody as a possible solution for the question of its future disposition. It may be assumed, therefore, that the sole motive which governed the first legislation touching property in this condition was the protection of the community from the excesses of evil-doers. The exposed property was a temptation. There was a measure of responsibility on the part of the patriots for this exposure. It could be atoned for to some extent by assuming control of the property for the benefit of whom it might concern. This was evidently the spirit in which the committee of safety, May 3, 1775, instructed the quartermaster-general to pay the strictest attention that the household furniture of those persons who had taken refuge in the town of Boston might be properly secured, and disposed of in places of safety.¹

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 706; *Journals of Each Prov. Cong. of Mass. in 1774 and 1775, and of the Com. of Safety*, etc., p. 534.

In the note to chapter 38, *Laws of 1776-77*, vol. v., *Acts and Res. Prov. Mass. Bay*, Mr. Goodell has collated not only the legislation on this point, but also much material bearing upon it. He has performed for us the same service in connection with chapters 24, 48, and 49, *Laws of 1778-79*, in the same volume, which deal with the general subject at a later date. There is more of detail in these notes than can be produced here, but their examination will dis-

The masterful tone and the revengeful spirit of the Confiscation Act are entirely wanting here, and yet the next step taken, even though it was more than a year before the Declaration of Independence, is characterized by an apparent confidence not altogether warranted by the military situation, a confidence which analysis shows to have been after all merely apparent. This time it was the provincial congress which spoke, and on the 22d of May forbade all persons in this "colony" taking any deed, lease, or conveyance of the lands, houses, or estates of the refugees.¹ The object of this was clear enough. Refugees would, if permitted, hasten to lodge their titles in the names of relatives or friends less objectionable to the provincial congress than themselves. It will be observed that the resolve does not undertake to prevent refugees from making such conveyances, but simply forbids others to take them. In order to make such deeds effective, the grantee must have been some person who could have access to the property. This was possible at that time only for such as had given in their allegiance to the provincial congress; hence the resolve in this form probably served its purpose.

Events had advanced far enough to stir up the more radical of the patriots to a desire for aggressive legislation, but not far enough to relieve the

close how exhaustive they are, and how little is left for the student of the subject to do.

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 706; *Journals Prov. Cong.*, etc., p. 249.

apprehensions of the timid and the conservative among the legislators. The first armed collision had already taken place, but the lesson of confidence in the courage of the undisciplined volunteers thronging on Cambridge Common, soon to be learned at Bunker Hill, had not then been conveyed. There was nothing which should cause even the timid to hesitate in the passage of a resolve to which obedience was alone expected from those who had given in their fealty to the provincial congress. There was nothing in its wording which portended confiscation, yet this compulsory retention of titles in the names of the refugees must have had some such ulterior intention.

Meanwhile, the committee of safety was in closer touch with current events bearing upon this property question than was the provincial congress. Complaints of the waste and destruction of the property of refugees poured in upon the committee in such numbers that on the 12th of June, 1775, they called the attention of the provincial congress to the subject.¹ How close was the touch and how trivial were some of the affairs with which the congress and the committee concerned themselves is shown by the recommendation to the committee made by the congress in consequence of that appeal. They were requested to have the grass cut on certain of the estates of refugees in Cambridge, Charlestown, Roxbury, and Milton, and to secure it in some con-

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 706 ; *Journals Prov. Cong.*, etc., p. 563.

venient place for the benefit of the colony.¹ Two committees were appointed by the congress, one to take care of estates of refugees, and one to take into consideration the property of persons who had left their habitations in sundry towns in the colony, and who had "discovered" themselves to be enemies to the colony and the continent.²

On the 21st of June, 1775, the provincial congress recommended the selectmen and the committees of correspondence of towns where any of the property of refugees was to be found to take possession of such property and protect it from waste. They were to keep a record of the rents and profits which they should receive, and they were to account to the provincial congress or to the assembly of the colony for what they should collect, when thereto required.³

This important resolve lies at the base of all subsequent legislative action down to the passage of the Confiscation Act. The underlying principles are the same as those which were subsequently elaborated into the act to prevent the waste, destruction, and embezzlement of the property of refugees. All property of refugees was to be seized, and the rents and profits therefrom were to be accounted for to the government.

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 707 ; *Journals Prov. Cong.*, etc., p. 322.

² *Acts and Res. Prov. Mass. Bay*, vol. v. p. 707 ; *Journals Prov. Cong.*, etc., p. 337 ; Report of Com. June 17, *Journals Prov. Cong.*, etc., p. 348.

³ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 707 ; *Journals Prov. Cong.*, etc., pp. 368, 369.

The use in this connection of the descriptive title, "The Assembly of the Colony," calls attention to the legal theory under which the proceedings of the colonists had theretofore been conducted. There was of course no provision in the charter under which such a body as the provincial congress could have been organized. Its members were in revolt against the duly appointed representative of the Crown, but had not as yet thrown off allegiance to Great Britain, nor was the situation such that they could with confidence expect that their proceedings would eventuate in such a result. They bore the same relation to the Crown as did their ancestors when they seized and imprisoned Andros, and the name "Provincial Congress," which they adopted, was to a certain extent a misnomer, for the essence of a province was that it should have a governor appointed by the Crown. The elective body, which in the summer of 1775 was organized for legislative purposes through the instrumentality of this congress, was styled an "Assembly of the Colony," and as such its first act was to legalize the doings of the "Provincial Congress of the Colony."¹

The attitude taken in the resolve of June 21 would seem to have been too bold for some of the legislators, for on the 8th of July they secured the passage of an explanatory resolve, to the effect that the resolve of June 21 was intended to apply only to such "estates as are left unimproved and void of any occupant or possessor." Other

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 415.

estates ought not to be so treated until the refugees should be "regularly indicted and tried for their supposed offences."¹ The operation of the resolve differed from that produced by the one passed May 3, as follows: Instead of being restricted to the household furniture of those who "had taken refuge in Boston," it applied to all abandoned property in the province, and instead of the custody being turned over to the quartermaster-general, the property was intrusted to the care of the selectmen and committees of correspondence. The cause of these changes is obvious. To avoid insult and actual physical maltreatment, loyalists from all parts of the province had been compelled to seek safety in Boston. If, in so doing, they left behind them property without adequate provision for its care, it was plain that so narrow a description as "household furniture" might not cover all cases. The appointment in the original resolve of the "quartermaster-general" as custodian was evidently a mere temporary makeshift. The transfer of the keepership of the seized property to the selectmen and committees of correspondence was a practical acknowledgment of responsibility, and indicated a recognition of the probable necessity for a more protracted custody and an acceptance of the self-imposed trust.

Legislation with reference to abandoned property was permitted to rest in the condition laid down

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 707; *Journals Prov. Cong.*, etc., p. 476.

by the resolve of June 21, 1775, as amended by that of July 8 of the same year, for about ten months. The subject was, however, discussed from time to time in the legislative body representing the people, whether congress or assembly, and the various propositions then introduced indicate that the representatives were becoming more and more aggressive. Thus, August 15, 1775, the house appointed a committee to examine the resolutions of the congress respecting refugees and report what was required to be done.¹ Again, on the 9th of November, 1775, a resolve was passed in the same body empowering the selectmen and committees of correspondence, in towns where refugees had left estates both real and personal, to take care of the personal estate, and to sell stock which could not be kept on account of the scarcity of fodder; to take care of the produce of the farms; to keep an account of their doings, and report to the court when required.² The council amended this resolve in three ways: They wanted to have the control of the selectmen and committees limited to abandoned property; they desired to have the report under oath; and they wished to preserve a loophole for refugees who might have some explanation to give of their conduct. This they proposed to accomplish by defining the purpose of the required report to be

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 707; *House Journal*, p. 73.

² *Acts and Res. Prov. Mass. Bay*, vol. v. p. 707; *House Journal*, p. 254; *Mass. Archives*, vol. 207, No. 270.

“that justice may hereafter be done to the public as also to those individuals, when due inquiry can be made into their conduct.”¹

Apparently these amendments were not acceptable to the house. The subject was again taken up by the representatives, January 5, 1776, and a committee appointed to bring in a report.² On the 8th, a resolve was submitted to the house.³ The hostility of the refugees was set forth in the preamble in strong terms. They had left behind them estates liable to waste and perish, and in some instances had arranged to receive rents from their real estate and the proceeds of sales of their personal property.

The selectmen and committees of correspondence of any town where such abandoned estates were situated were to take possession of the same; to manage the real estate and dispose of the personal estate in such manner that no part of the rents or proceeds should get into the hands of the refugees. Proper accounts were to be kept for the information of the general court, when required. This resolve, like its predecessor, met with amendment in the council.⁴ The most important of the changes sug-

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 708; where Mr. Goodell adds: “By the minutes upon the original resolve in the *Archives*, as well as by the recorded doings of the Council and House upon this resolve, on the 18th and 27th, it does not appear to have been passed, notwithstanding an entry to that effect in the so-called records of the General Court.”

² *House Journal*, p. 119.

³ *House Journal*, pp. 127, 128.

⁴ For these amendments, see *House Journal*, January 11, 1776, p. 141.

gested seems to convey the idea that certain patriots fleeing from Boston had arranged with loyalists who had fled to Boston for an exchange of property. The council proposed that after the clause requiring a report to the general court, there should be added the words "to whom they are to be accountable, provided always, that nothing in the foregoing resolve shall extend to such estates, real or personal, as are now improved by persons late inhabitants of the Town of Boston, who have given up their estates in said town to the owners of estates on which they now dwell." This amendment was not accepted by the representatives, and at this stage the proposed legislation was apparently arrested.

On the 14th of February, 1776, the subject was again considered by the house. A resolve was reported, which was duly passed and sent up for concurrence.¹ This resolve was in substance the same as that which had been passed by the house January 8, but to the clause requiring the selectmen and the committees to report their doings to the court when required by that body, these words were added: "And unto whom they shall be accountable." There was also a proviso added, to the effect that the resolve was not to be construed to include estates which had been conveyed to persons friendly to the colony prior to May 22, 1775, the date of the passage of the resolve forbidding such conveyances.

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. pp. 708, 709; *House Journal*, p. 293.

There is no record of the action taken by the council on this specific resolve, but it may be assumed that it failed of passage in that body.

Meantime, the evacuation of Boston introduced a new set of problems, urgent in their nature and requiring immediate attention. The compulsory withdrawal of the English army and fleet not only affected military affairs, but the prestige gained by the Americans in consequence of this important success reacted upon the political situation. It is not strange, therefore, to find immediately after this event that thoughts of confiscation began to obtrude in the body from which all aggressive action had heretofore come. On the 19th of March, 1776, it was moved in the house that a list of the Boston loyalists be made out, and an order was passed for the appointment of a committee to bring in a bill for the confiscation of the estates of persons who had aided the enemy.¹ It would seem that the council was not ready for this step, for on the 25th of March the general court appointed a committee to repair to Boston and make an inventory of the real and personal property belonging to the mandamus councillors, commissioners of customs, and others, open and avowed enemies to the rights and liberties of America, who, through fear of the American arms and the just resentment of their injured countrymen, had departed the town of Boston; and report the same to the court as soon as may

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1052; *House Journal*, p. 18.

be. Meantime they were to cause such effects to be secured, so as to prevent embezzlement.¹ This committee found unexpected obstacles in the way of securing possession of the property of refugees, and sought for and obtained on the 3d of April, 1776, an extension of their powers.² The resolve under which this was granted recites that the court was informed that some of the estates of the refugees were then in the occupation and possession of persons who had clandestinely taken the same, and others were held under pretence of gift, sale, or attachment. To secure possession of these estates, the committee was authorized to examine under oath persons suspected of having in their possession estates of refugees, in the same manner as was permitted by the law governing estates of intestates. The committee was also authorized to take possession of property belonging to persons in Great Britain, the management of which was, by power of attorney, lodged in the hands of refugees. All of this without regard to legal proceedings instituted since April 19, 1775.

On the 6th of April, justices of the peace were appointed to examine loyalists whose names were on the list.³ On the 8th of the same month, the house recurred to the question of confiscation, but

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 709 ; p. 1064 ; *House Journal*, p. 37 ; p. 40 ; p. 41.

² *Acts and Res. Prov. Mass. Bay*, vol. v. p. 709 ; *House Journal*, p. 75 ; *Mass. Archives*, vol. 208, No. 328.

³ *House Journal*, pp. 88, 89.

was then held in check by the council.¹ On the 9th, the house passed a resolve extending the provision as to inventories of property of loyalists to all towns, and requiring committees of correspondence, safety, and inspection, aided by justices of the peace, to prepare lists of refugees.² Having thus made provision for securing as far as possible the property in Boston abandoned by the refugees who accompanied the British army to Halifax, the house took up the resolve originally introduced February 14, and on the 19th of April, 1776, passed a resolve in which the council concurred on the 23d.³

The preamble asserted that certain enemies of the colony, and others who had left the colony with intent to aid the enemy, had left behind them real and personal property subject to waste. The committees of correspondence, safety, and inspection, in each town where there was property of this sort which the committee believed was the property of such refugees, were instructed to take possession of the property, and to manage the estates according to their best judgment. They were to lease the real estate for one year; to return an inventory of the personal property and a statement giving details as to leases. Estates occupied by persons friendly to the colony, under written conveyance dated prior to

¹ *House Journal*, p. 96.

² *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1052; *Mass. Archives*, vol. 208, No. 357; *House Journal*, p. 104.

³ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 710; *House Journal*, pp. 153, 154.

May 22, 1775, were exempted from the operation of this resolve.

To this was added another clause, intended to reach loyalists who had not absconded, but had aided the enemy. The committees were ordered to return to the court a list of such loyalists, including therein the names of those who had voted any address to General Gage approving his errand to the colony, or his acts as governor since the dissolution of the general court at Salem in 1774; or to Governor Hutchinson after the arrival of General Gage; or to General Howe; or who had signed or promoted any association for joining or assisting the enemy; or who had left the colony with the British army or fleet. Accompanying such lists, the committees were to forward evidence to prove that the names on the lists were properly there. There was a qualifying paragraph, which probably means that the names of the loyalists who had given satisfactory evidence of having abandoned the cause of the Crown and of having become true patriots were not to be included in the lists. Justices of the peace were to aid in the preparation of the depositions. There is a degree of hesitancy in this resolve which, under the circumstances, seems singular. The evacuation of Boston was such a triumph for the American forces that the patriots must thereafter have felt reasonably secure in taking whatever steps they chose. To a certain extent this feeling is shown in calling for the lists of loyalists and refugees, but the power of control over the estates of refugees was

limited in such a way as to indicate some ulterior purpose. The leases of real estate which the committees were authorized to make were limited to one year, and no authority whatever to dispose of personal estate was conferred in the resolve. It was soon realized that this resolve conflicted with the one of March 25 appointing a committee to take charge of the abandoned estates in Boston. This situation was remedied by the passage, on the 2d of May, of a resolve continuing the powers of this committee until further order of the general court, notwithstanding the resolve of April 19.¹

By this time it was realized that the fugitive loyalists had left behind them families dependent for their support upon the property which had been seized, and in this resolve there was recognition of the obligation which the government had assumed by taking possession of the property. This was accomplished by adding a proviso, which gave authority to the committee to make allowances out of such estates or the improvement thereof for the support of the wives and children of the persons whose property was in the hands of the committee.

The committee was also ordered to dispose of perishable property by auction. Through the action mentioned above, provision was to a certain extent made for the support of the families of the Boston refugees, but no thought was had for those who

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 710; *Mass. Archives*, vol. 209, No. 107. The resolve of April 19, as it is generally cited, is the one that was concurred in by the council April 23.

were similarly situated elsewhere in the colony. On the 25th of June, 1776, however, a committee was appointed by the house to inspect the returns of the committees of correspondence with respect to the estates of refugees, and to report if anything was required to be done in connection therewith.¹ On the same day the house passed a resolve authorizing the committees of correspondence, having estates of refugees in their possession, to allow for the support of the families so much of the improvement of the estates as, combined with the industry of the families, would provide for their comfortable support.²

The selectmen of the town, or the overseers of the poor, were, by the terms of this resolve, "empowered to bind out the children of such Tories in like manner as they are by law empowered to bind out the poor of their towns." The committees of correspondence were also authorized to sell perishable property belonging to said estates.

It scarcely needs to be stated that the council did not agree to the proposition to permit the compulsory apprenticeship of all children of tories irrespective of their surroundings, and regardless of the question whether the seizure of the property of their parents would of necessity result in their becoming public charges.

Up to this point there had been no general

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 711 ; *House Journal*, p. 127.

² *Acts and Res. Prov. Mass. Bay*, vol. v. p. 711 ; *Court Records*, vol. xxxv. p. 77 ; *Printed Resolves*, ch. 109, p. 25.

authority conferred to sell property, and no appropriation by the colony of the seized effects. Perishable property alone had been ordered to be sold, and from time to time specific instructions and special authority had been given in particular cases.

The assembly of the colony was in session at the date of the Declaration of Independence, but was prorogued on the 13th of July, 1776, prior to the receipt of official information of the action of the Continental Congress. When the legislators met in August of that year, they represented one of the United States of America, and the revolt which had been in progress had become an open war against England. This permitted, indeed it may be said to have compelled, the placing upon the statute-books in permanent form of a definite policy with regard to the estates of refugees, in place of the various conflicting resolves under which seizures had been made. The matter was taken up in October,¹ but the act to prevent the waste of the estates of refugees, which was the result of these deliberations, was not finally passed until April, 1777. Meantime, the only change in the relations to the subject of those holding property of refugees under authority of the various resolves would seem to have been effected by a resolve passed January 31, 1777, ordering the committee for securing the estates of the absconding enemies to the rights of America to turn over to the Board of War such effects in their hands as

¹ See supplementary note to chapter 38, *Acts and Res. Prov. Mass. Bay*, vol. v. p. 725.

might be available for this and the other United States.¹

“The Act to prevent the waste, destruction and embezzlement of the goods or estates of such persons who have left the same, and fled to our enemies for protection, and also for payment of their just debts, out of their estates,” was passed in April.² This act authorized the judges of probate to appoint agents to take possession of the property of persons who had voluntarily fled to the enemy, leaving behind them estates amounting in value to twenty pounds or upwards. Judges of probate were authorized to allow the wife and family of the refugees bedding and household furniture, and could also assign to the wife the use and improvement of one third of the real estate during the absence of the husband.

The agent was to sell the personal property and pay the debts of the refugee. If there was not enough personal property to meet the debts, then recourse could be had to the real estate. Except for the purpose of paying debts, he had no power to sell real estate. Where the estates were not insolvent, the judge of probate could make allowances out of the rents and profits of the estate for the support of the absentee's family and servants. The agent was to pay over to the treasurer of the state any balance in his hands after paying the debts of the estate, and thereafter was to account to the judge

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 711; *Printed Resolves*, ch. 131, p. 28; *Mass. Archives*, vol. 212, No. 213.

² *Acts and Res. Prov. Mass. Bay*, vol. v. p. 629 *et seq.*

of probate by whom he was appointed. Thus matters stood until the passage of the Confiscation Act. The flight of the refugee was treated as being equivalent to suicide. The agent appointed to take possession of the estate was given authority to manage the same "in as full and ample a manner as though the absent person was naturally dead and the said agent was appointed administrator of his or her estate."

It is evidently the purpose of the act to give the agent control over the management of the real estate, but the limits of that control are only to be inferred. He is put in possession, and can receive the rents from leases made by committees under authority of the court. He can make repairs. Out of the rents and profits in his hands he can pay such sums as the court allows for the support of the family. The committees having charge of real estate were only authorized to lease for one year. Perhaps it is a fair inference that the agents' power in this respect was similarly restricted. September 19, 1778, collectors of taxes were stayed from proceeding against the unimproved estates of absentees.¹

On the 16th of October, 1778, the power of judges of probate in the appointment of agents was extended. They were directed to exercise this power as soon as it should appear to them by information or otherwise that any persons had fled to the enemy for protection. The estates of refugees who had died since leaving home were not to be exempt, and

¹ *Printed Resolves*, September session, 1778, res. 11, p. 38.

commissioners were to be appointed to examine claims against all estates, whether insolvent or not.¹ The same act was further amended in February, 1779, by the addition of a clause which empowered judges of probate to treat absentee executors and administrators as if dead. Appointments could be made of persons to fulfil the trusts which the absentees were unable to perform.²

Pursuant to the recommendation of Congress, the subject of confiscation was taken up by the general court in January, 1778. February 23,³ a confiscation act was reported, and a list of names of refugees was ordered to be prepared. This was under consideration for a protracted period, the details concerning which are given in the note to chapter 48, vol. v., in the *Province Laws*.⁴ The passage on the 16th of October, 1778, of the act to prevent the return to this state of certain persons therein named, and others who have left this state or either of the United States and joined the enemies thereof, would seem to have been the immediate outcome of this discussion.⁵

The state at this time had possession of practically all the property of the refugees. The personal property had been disposed of under authority. The real estate was still under the management of the agents who had been put in charge of it. Difficul-

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. pp. 910, 911.

² *Acts and Res. Prov. Mass. Bay*, vol. v. p. 931.

³ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1053.

⁴ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1052 *et seq.*

⁵ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 912.

ties of various sorts turned up, most of which were met by legislation, general in character, but calculated to meet the emergency which called it into being. The spring of 1779 was fertile with such legislation.

February 19, 1779, agents who had not made returns of inventories were ordered to do so immediately. They were also required to make up their accounts with all possible expedition, and, after deducting such allowance to the wife, widow, or family as the judge of probate might have approved, to pay over the balance to the treasurer of the state.¹ The same day another resolve was passed instructing agents to lease for circulating currency the real estate on one year leases.² The property of subjects of Great Britain who had not resided in this state was, by resolves of date of February 20 and April 19, ordered to be turned over to the agents.³ A special resolve was passed May 1, providing for the ejectment of persons improperly holding possession of the property of refugees,⁴ and resolves were passed May 1 and May 3 to meet the cases arising from delinquent agents.⁵

This review of special legislation of a general character at this period has carried us beyond the date of the passage of the two confiscation acts in which all of this legislation may be said to have

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1000.

² *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1000.

³ *Acts and Res. Prov. Mass. Bay*, vol. v. pp. 1000, 1001.

⁴ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1002.

⁵ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1002.

culminated. April 30, 1779, two bills were passed, the one directed against the estates of mandamus councillors, commissioners of customs, and certain other royal officeholders, and the other against the estates of refugees in general. In the former the estates of the named persons were confiscated without hearing. In the general confiscation act there were detailed provisions for the mode of trial under which the estates should be confiscated. Personal service or the ordinary substitutes lay at the base of the action, and a jury was required even in case of default. In both acts provision was made for setting aside dower for the wife or widow of the refugee, out of the estate. In the proceedings under the Confiscation Act the result was simply that possession in behalf of the commonwealth was given to an agent appointed for that purpose. No provision was made in the act by means of which the agent could pay debts.

On the 19th of June, 1780, a committee was appointed by resolve who were authorized to borrow money for the use of the state, and as security for the loans they could put lenders in possession of the real property of absentees.¹

November 29, 1780, a resolve was passed for selling at public auction the estates and effects of absentees.² The proceeds were to be paid into the treasury.

December 4, 1780, the Confiscation Act was

¹ *Resolves of Mass. 1780*, res. 83, pp. 35, 36.

² *Laws and Res. of Mass. 1780-81*, ch. 95, p. 183.

amended.¹ The requirement of a jury where there was no contest was dispensed with, and instead of the notification to the absentee set forth in the act as a basis for the proceedings in court, notice by publication in newspapers was substituted. The personal service required in the original act on absentees who were by law prohibited from entering Massachusetts was of course a legal farce and an absurd proposition, nor was it much improved by having a notice left at the last and usual abode of the absentee, nor by posting it on the premises. Such absentee had, under the circumstances, no recognized interest in the proceedings, and his family had no claim except through him. Only those were legally interested who might claim through some conveyance or contract which the courts would recognize as valid, and as these might not be known, publication was clearly the best way to reach them.

At the time of the passage of this act, the confiscation suits in the Chandler case were ripe for judgment. Taking advantage of the provision which dispenses with the jury requirement, the court, which met December 12, 1780, at once proceeded to enter up judgment in the pending cases. It was soon discovered that the act which had made it possible

¹ *Laws and Resolves of Mass. 1780-81: An Act in addition to and for the alteration of some of the provisions of an Act, etc.*, ch. 48, p. 113. For my citations of much of the subsequent legislation I have used the reprint of the laws now in progress, the title being the binders' title. This is sometimes misleading, since the years which govern it are session years, and the fall session often overlapped the calendar year.

to get along without a jury had also upset the service of the writs upon which these cases were based. To remedy this, a special act was passed January 18, 1781, legalizing the proceedings in these suits.¹

The committees and agents were instructed February 2, 1781, not to lease property of absentees;² but on the 3d of March, 1781, they were authorized to lease for one year, if they thought it was for the interest of the government.³

The act to provide for the payment of the debts due from conspirators was amended May 1, 1781. Committees appointed to sell the estates of absentees were authorized to sell at private sale to persons who had advanced money to the commonwealth, under the resolve of June 19, 1780, the estates then turned over to them as security, provided the creditor of the commonwealth made application for that purpose and was willing to take the estate at the appraised value designated by a committee appointed for the purpose.⁴

The action taken in this last act is peculiar, and not altogether consistent with what had just taken place, for on the 2d of March the legislature had formally passed an act to provide for the payment of debts due from conspirators and absentees and for the recovery of debts due to them, in which act they

¹ *Laws and Res. of Mass. 1780-81*, ch. 49, p. 114.

² *Laws and Res. of Mass. 1780-81*, ch. 65, p. 254; *Res. of Mass. 1781*, res. 65, p. 79.

³ *Laws and Res. of Mass. 1780-81*, ch. 196, p. 335; *Res. of Mass. 1781*, res. 196, p. 129.

⁴ *Laws and Res. of Mass. 1780-81*, ch. 52, p. 122.

had appointed committees to sell the estates and pay the debts.¹ The claims were to be examined by the committees formerly appointed by the judges of probate. The sales were to be conducted as in the case of intestates. The committees for the several counties were named in the act, and were authorized to sell the estates, pay the debts, and pay over what was left to the treasurer of the state. Money paid to the treasurer could be reached by warrants issued on certificates of probate judges. John Fessenden, Caleb Ammidon, and Jonathan Warner were appointed for Worcester County. On the 15th of May, 1781, knowledge having been acquired that there were persons in possession of real estate of absentees who did not pay rent and others having personal property illegally in possession, a resolve was passed directing the committees appointed to sell confiscated estates in the several counties to make inquiries on these points, and report thereon.² The same day an act was passed directing commissioners to reject all claims originating from conspirators or absentees and extending the time for proving claims against the estates, and, in order to expedite payments, authorizing payment in full to creditors who would give an indemnity bond to refund *pro rata* in case the proceeds of sales should be inadequate to meet all claims.³

The committees of the several counties within the

¹ *Laws and Res. of Mass. 1780-81*, ch. 50, pp. 115 *et seq.*

² *Laws and Res. of Mass. 1780-81*, ch. 176, p. 460.

³ *Laws and Res. of Mass. 1780-81*, ch. 53, pp. 123-125.

commonwealth, appointed to dispose of confiscated estates, were on the 11th of February, 1782, instructed to receive in payment the securities given to officers and soldiers.¹ March 7, 1782, the committees for the sale of estates of absentees were authorized to lease the said estates for the ensuing year.²

On the 8th of March, 1782, in order that persons might be protected who had been prevented by good reasons from prosecuting their claims against the estates of absentees, a resolve was passed, authorizing judges of probate to renew for three months the commissions of those previously appointed to examine claims. The commissioners thus reappointed, or others in their place, were instructed to reëxamine claims.³ On the 15th day of June, 1782, an amendment was passed to the act to provide for the payment of debts due from conspirators and absentees, the purpose of which was to relieve the commonwealth from the embarrassment caused by the exemption from the operation of the original act of estates put in the hands of persons who had advanced money under the resolve of June 19, 1780. Committees were authorized to sell to lessees at an appraised value, or to others at public or private sale if the lessee refused to take the property on those terms. In cases where the proceeds of sales were inadequate to pay debts, committees were empowered

¹ *Laws and Res. of Mass. 1780-81*, ch. 403, p. 846.

² *Laws and Res. of Mass. 1780-81*, ch. 524, p. 925.

³ *Laws and Res. of Mass. 1780-81*, ch. 514, pp. 919-921.

to divide such proceeds among creditors *pro rata*, taking bonds for the repayment of the creditor's ratable proportion.¹ If it be borne in mind that the agents had been called upon to remit to the state treasurer, the character of the task of determining the solvency of the estates thus imposed upon the committees will be better appreciated. In the Chandler case, several of the claims were paid by warrants drawn on the treasurer.

Various resolves were passed in the summer of 1782, the purpose of which was to stimulate the settlement of estates of absentees.²

It would seem that the complicated state of affairs brought about by the great variety of legislation bearing upon the settlement of the estates of absentees carried with it the penalty of suits against agents and committees in such numbers that the legislature was obliged to come to their defence. This was done by the passage, March 13, 1783, of an act empowering agents and members of committees in certain cases to plead the general issue and give the acts and resolves of the general court and any special matter in evidence.³

. At the time of the passage of this last act it was known in this country that George III. had announced at the opening of Parliament that a pre-

¹ *Laws and Res. of Mass. 1782-83*, ch. 69, pp. 177-179.

² *Laws and Res. of Mass. 1782-83*, ch. 88, p. 232, June 29, 1782; ch. 85, p. 229, July 1, 1782; ch. 113, p. 245, July 4, 1782; October 21, 1782, a resolve was passed containing unimportant instructions to committees, ch. 76, p. 308.

³ *Laws and Res. of Mass. 1782-83*, ch. 70, p. 179.

liminary treaty of peace had been signed between Great Britain and the United States. The provisional treaty, concluded in November, 1782, had at last become operative through the signing in January, 1783, of the preliminary treaties of peace between Great Britain and France and Spain. The fifth article in the provisional treaty provided that Congress should recommend to the several States the revision of the laws against refugees, "so as to render the said laws or acts perfectly consistent, not only with justice and equity, but with that spirit of conciliation which, on the return of the blessings of peace, should universally prevail." The first step taken by the legislature of Massachusetts in this "spirit of conciliation" was the passage, on the 2d of July, 1783, of an act to carry into execution an act made in the year one thousand seven hundred and seventy-eight, entitled an act to prevent the return of certain persons therein named. It was prescribed in the "act to prevent the return" that the Board of War should deport absentees who should venture to return to the state. That body, it was stated, was now discontinued. It was therefore provided that cases arising for consideration under that act should be examined by two justices of the peace, whose decision was to be certified to the governor. It was made the duty of the governor to cause violators of the law to be deported, and it was provided that a second return of the refugees was to be met with the penalty prescribed in the original act, which was death. Replevin suits could not be

maintained in behalf of persons arrested under this act. Service of writs in such suits was declared to be void, and the officer making service not only became subject to a fine of £100, but was by the very act of making the service incapacitated from making further legal service of papers. This act was to remain in force until the recommendation of Congress should be laid before the court, and a final determination thereon should be had.¹

March 18, 1783, committees were authorized to lease for one year.²

June 5, the committee intrusted with the settlement of the accounts of committees on absentees' estates was instructed to require final settlements and to have balances paid over.³

On the 4th of October a resolve was passed instructing committees appointed to make sale of the estates of absentees "to surcease the sale of the said estates until the further order of the general court."⁴

The definitive Treaty of Peace, executed at Paris in September, 1783, was ratified and confirmed by Congress January 14, 1784, and a broadside was thereupon issued, calling upon all good citizens and all bodies of magistracy, legislative, executive, and judiciary, to observe its terms and carry into effect its definitive articles. The fifth and sixth articles of the treaty were similar to those bearing the same

¹ *Laws and Res. of Mass. 1782-83*, p. 499.

² *Laws and Res. of Mass. 1782-83*, ch. 175, p. 458.

³ *Laws and Res. of Mass. 1782-83*, ch. 10, p. 680.

⁴ *Laws and Res. of Mass. 1782-83*, ch. 14, p. 783.

numbers in the provisional treaty. The former of these articles has been already alluded to. The latter provided that there should be no more confiscations of the property of loyalists and no more prosecutions by reason of the part taken by them in the war. What legislation follows was carried through with a full knowledge of the character of the recommendations of Congress which were referred to as impending in the last paragraph of the act of July 2.

The first step taken by the legislature after it was furnished with knowledge of these recommendations was to put forth efforts to close up the estates of absentees. March 16, 1784, registers of probate were ordered to return to the secretary's office before June 10 all accounts rendered by agents of such estates. If any agent had failed to render his accounts, registers were instructed to bring suit on his bond. Committees having absentees' estates in their hands were ordered to make a return to the secretary. He in turn was to report to the attorney-general if any committees were delinquent in this respect, and it was made the duty of the attorney-general to prosecute such delinquents. It was at the same time provided that there should be no further sale of estates of absentees, either as a whole or in part, until the further order of the general court.¹

The first act passed in which the obligations of the treaty were distinctly recognized was the "Act

¹ *Laws and Res. of Mass. 1782-83*, ch. 132, p. 873.

for repealing two laws of this state, and for asserting the right of this free and sovereign commonwealth, to expel such aliens as may be dangerous to the peace and good order of government." This act became a law March 24, 1784.¹

The preamble asserted that it was the undoubted right of the state to expel such aliens as were possessed of dispositions incompatible with the safety or sovereignty of the state. It is quite possible that in the more liberal spirit of to-day we should be inclined to assert our right to expel from the country those whose presence threatened the safety of the state, but our sympathy with the alleged principle on which the act was based would probably stop at this point, for what was meant by it was more specifically defined in the next sentence, in which absentees were pronounced to be aliens. Alas, for the hoped-for spirit of conciliation. All those who had borne arms against the state or lent money to Great Britain, and all those who were named in the Confiscation Act, were designated as aliens, and as such ought to be excluded from the state. The admission even of others of this class was declared to be full of danger to the state, but under the circumstances it was thought that the present laws for their exclusion were not calculated to produce peace and tranquillity. Therefore the act to prevent the return of certain persons therein named, and the act to carry that act into execution, the former of the year 1779, the latter of 1783, were both repealed.

¹ *Laws and Res. of Mass. 1782-83*, p. 661.

This of course threw the bars down and let in everybody, but to make it clear that the spirit of conciliation in which the legislature complied with the recommendation of Congress did not go far enough to permit the more odious of the loyalists to stay in the commonwealth after they had got there, it was then provided that absentees named in the Confiscation Act, or who had borne arms against the country in the late war, who should return to the state with the intent to reside therein, should be reported by justices of the peace to the governor, and if they did not immediately depart from the state when thereto ordered by the governor, they were to be committed to jail.

Absentees of other descriptions than the above were required to take out licenses from the governor, which licenses should run only from the end of one general court to the end of the next.

The sixth article of the treaty, which provides that there should be no more confiscations, was recognized, and it was provided that lands held by claimants April 19, 1775, which had not been confiscated, should be restored unless they were pledged for the payment of debts due from absentees. From the benefit of this provision, however, those named in the Confiscation Act were excluded, or rather it would be nearer the fact to say that an attempt was made to exclude them. This was done by referring to the Confiscation Act as the "Act of 1778," an error of date which compelled subsequent legislation by way of correction.

On the 2d of July, 1784, it was ordered that confiscated estates should be sold by auction for public securities. From this order estates which were insolvent were excepted.¹ It was evident that the titles to the confiscated estates acquired by the purchasers at the auction sales were assailed, for on the 28th of October, 1784, a resolve was passed directing the attorney-general to appear and defend the titles of confiscated estates.²

It has been mentioned that corrective legislation was needed to cure the hasty and erroneous description of the Confiscation Act in the act just above described. This was accomplished November 10, 1784, by an act in addition to the former act, in which it was also provided that, where real estate of absentees had been mortgaged by the government, the equity of redemption should be regarded as having been confiscated. In the case of property leased by the government, the rentals were deemed to have been confiscated, but the claimant could demand the property at the termination of the lease. It was also provided in the same act that all acts of agents or committees in connection with real estate of absentees or of real British subjects, where the real estates had not been confiscated, if such acts were done according to law, should be good and valid. Personal estates of absentees, sold or used, were to be deemed confiscated. No action was to lie

¹ *Laws and Res. of Mass. 1784-85*, ch. 58, p. 234.

² *Laws and Res. of Mass. 1784-85*, ch. 25, p. 272.

against an agent. If sued, he might plead the general issue and give this act in evidence.¹

The same day a letter was addressed to the delegates to Congress, in which they were instructed to ascertain whether it would consist with the treaty for the legislature to debar British subjects and absentees from recovering interest during the war. What did the expression used in the treaty, "*bona-fide* debt," mean? Ought it to include interest during the war?

These questions arose under the fourth article of the treaty, which provided that no lawful impediment should be imposed to the recovery of debts theretofore contracted. Pending an answer which should furnish the congressional interpretation of the treaty, actions for interest were suspended until the next session of the legislature.² When that event took place, the reply of Congress to these questions was still in abeyance. A resolve was therefore passed on the 7th of February, 1785, continuing the resolve of November 10 in force until the further order of the general court.³

Whether that order has ever been made can be determined by search of the records, if any person should deem it worth while.

¹ *Laws 1784-85*, chap. 31 — 1784, p. 105.

² *Laws and Res. of Mass. 1784-85*, pp. 300, 301.

³ *Laws and Res. of Mass. 1784-85*, p. 338.

CHAPTER IV

THE VALUE OF THE ESTATE

AMONG the papers in the probate files are two appraisals of the real estate made at different times. Under the instructions given to the appraisers, these returns were made in "lawful money." The second of these appraisals is more than double the first, a condition of affairs which compels investigation as to its meaning. As if to help us, a third valuation of the real estate, at a still earlier date, is to be found in the London transcripts. This was made in sterling by Chandler himself, and was corroborated by the affidavits of several persons familiar with the value of the different parcels of land mentioned in the schedule. By the term "lawful money," the currency in use in New England was meant, the par value of which was six shillings to the Spanish dollar, or piece of eight, of seventeen pennyweight. In order to compare Chandler's valuations with those of the local appraisers, one must add thirty-three and one third per cent., the Spanish dollar being rated at 4s. 6d. in sterling, about that time. We can easily identify the farms, wood-lots, and pastures in the several inventories, and if we place them side by side, and convert Chandler's values into "lawful

money," we shall have three appraisals of the real estate, all nominally in money of the same standard: one by Chandler giving the values in 1774; one by local appraisers in 1778; and the third also by local appraisers in 1779.¹ The differences of the appraisals will be better appreciated if presented in tabular form, and in order that we may condense the table, it will be well to dispense with shillings and pence and take the nearest pound.

Acres from Chandler.	Property.	Chandler's Schedule.		Appraisers' Valuation.		
		1774.		1774.	1778.	1779.
		Sterling.	Lawful Money.	Lawful Money.	Lawful Money.	Lawful Money.
11 $\frac{1}{2}$	Mansion House . .	750	1,000	—	2,500	5,000
180 $\frac{3}{4}$	Mill Farm	1,500	2,000	—	4,000	12,000
17 $\frac{1}{4}$	Mill Stone Hill wood-					
	lot	52	70	—	—	255
16 $\frac{1}{2}$	Cedar Swamp . .	165	220	—	80	120
70 $\frac{1}{2}$	Tertnuck Pasture .	248	331	—	500	1,200
26 $\frac{1}{2}$	Worcester Pasture .	133	176	—	260	800
256 }	Uptown Farm . .	1,280 }	1,707 }	—	5,500	15,000
50 }		160 }	213 }			
203	Downtown Farm .	1,800	2,400	—	6,500	17,700
322	Chestnut Hill Farm .	1,130	1,507	—	3,500	10,000
$\frac{2}{3}$ 200	$\frac{2}{3}$ Charlton Farm .	400	533	—	2,000	3,000
	Pews	65	87	—	200	400
	Royalston	474	632	—	1,100	1,270
	Hampshire County .	2,305	3,073	2,530	8,696	8,770
	Leominster	—	—	—	1,000	1,000
		10,462	13,949		35,836	76,515

¹ Dr. Chandler, in his *Chandler Family*, in treating of Colonel Chandler, introduced as an item in the 1779 inventory the total of the real estate. This error has been copied by other writers, and the conception of Chandler's wealth has been thereby greatly magnified.

The appraisers' valuations are taken from the documents on file in the probate court. Chandler's schedule accompanied a petition to the commissioners appointed to investigate the claims of American loyalists, and is taken from the papers in the Public Record Office, London.

We have here a scale of valuation ascending as time progresses. The basis of the valuation fixed by Chandler and his friends, and also that of the 1774 appraisal of the Hampshire County appraisers, is undoubtedly silver coin, in the former case sterling, in the latter New England money. If silver coin is also the basis of the later valuations, we have here evidence of a condition of prosperity in Massachusetts utterly at variance with our preconceived notions of the distress caused by the grievous burden of war taxes, and totally inconsistent with the language used by the selectmen of Worcester in their petition to the general court for a reduction of the town's taxes in November, 1779.¹ As a matter of fact, it cannot be supposed for a moment that there was any general appreciation of the actual value of property in Massachusetts at that time. It follows, therefore, that the appraisers, in estimating the values which they stated in "lawful money," must have made use of a standard which was subject to fluctuations.²

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1250.

² Lawful money, according to its strict definition, ought not to have fluctuated. Yet we find Governor Trumbull of Connecticut saying in November, 1779: "Their prices of 2/ & 1/6 as heretofore fixed, I understand to be in L. money, agreeable to its value in 1774." *Mass. Hist. Coll.*, 7th ser. vol. ii. p. 451.

Was there any other definition of lawful money to be derived from the statutes, which would have justified the use by the appraisers of the phrase in their inventories, and which would have applied to a circulating medium the depreciation of which would correspond with the advance of the appraisals? It would seem as if the answer to the several points covered by this question ought to be revealed by an examination of the currency emissions of Massachusetts, a study of the scale of depreciation of the currency then in circulation, and a determination of the ratio of the advance made by the appraisers. If these should fail to solve the riddle, still they may be profitable through their negative results.

The first paper money put forth by Massachusetts at that time was in August, 1775. Bills of credit to the amount of so much lawful money were ordered to be prepared, and on the face of the bills it was simply stated that the possessor should be paid so much lawful money by a given date. It was provided that the bills should be received at the treasury and in all payments at their stated denominational value, and a penalty was prescribed for receiving or paying them at a discount. They were, therefore, practically declared to be not only lawful money but legal tenders. Shortly thereafter bills of the United States were put on a par with them by giving the former also the legal tender function, an attribute which they retained until the passage in 1780 of the act in which the official scale of depreciation was adopted.

Meantime the colony, and afterwards the state, had from time to time emitted bills of credit bearing upon their face the term "lawful money," and had also concurrently borrowed large sums of money on the treasurer's interest-bearing notes. Beginning with December, 1776, the practice of emitting treasurer's notes exclusively to lenders of bills of credit was abandoned, and the policy was inaugurated of issuing interest-bearing notes to meet the current obligations of the state. After that month, no more lawful money bills of credit were emitted. Continental money and interest-bearing treasurer's notes usurped their place, and the policy of withdrawing the bills of credit altogether came under discussion. In September, 1777, the treasurer was ordered not to pay out bills of credit except those under six shillings in denomination.¹

This was intended as a serious blow to the circulation of the bills, since the greater part of those which had been emitted were of the denomination of six shillings or upwards. In October, 1777, all bills for six shillings and upwards were called in for exchange for treasurer's interest-bearing notes. Various dates were from time to time assigned, beyond which the lawful money bills of credit were not to be permitted to circulate, the last apparently being August, 1779. Before this date was reached, in June, 1779, nearly all of them were burned in the presence of a committee of the general court.²

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 815.

² *Acts and Res. Prov. Mass. Bay*, vol. v. p. 822.

The exchange of these bills for treasury notes was apparently ordered to be made at par, showing that the lawful money bills and the interest-bearing notes had up to that time shared the same depreciation. Inasmuch as the continental bills were specifically recognized by legislation as being upon an equality with the state bills of credit in the legal tender function as late as May, 1777, soon after which they became the recognized measures of value, it is probable that the scale of depreciation applies to all three of these classes of currency, up to the time when the actual withdrawal of the lawful money bills prevented their further consideration in connection with questions of discount.

The treasurer's notes find no special mention in the legislation bearing upon the question of depreciation, but there is every indication that they continued to parallel the course of the continental bills in their downward career, although at first it was evidently thought that they would not add to the circulating medium. They were of large denominations; they were for short terms, and they bore interest. It was thought that capitalists would select them for their cash balances, but it was not realized that this would release for circulation other notes or bills of the same value.

After the general court, in October, 1777, passed the act retiring the lawful money bills, they received remonstrances from many parts of the state. In reply to these the representatives in December of the same year issued an address to the people in

which they argued that this step was of great advantage because it left but one species of currency, the continental. They said that there was a necessity for calling in their own currency — referring thereby to the lawful money bills — in the speediest manner. The good effects of calling in the bills, they added, “are already obvious in many respects, and nothing seems wanting but perseverance to reap the real benefit of it.”¹

We have seen that some of these lawful money bills continued in circulation until the summer of 1779, but it is a fair inference from what the representatives said in December, 1777, that they were then retired in such numbers as to afford actual relief to the situation. It is improbable that the limited number which continued to circulate could have been distinguished in any way from the currency upon which the community depended for a medium of trade.

We have an official schedule of depreciation adopted by the general court in 1780,² which by its terms applies only to United States bills of credit. Continental bills were then the measure of value adopted in the tax acts for use by the assessors, and collectors were ordered to receive them in payment for taxes.³ In this scale, the time at which the depreciation was first legally recognized was fixed at January, 1777. One hundred dollars in coin were said,

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. pp. 818–820.

² *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1412 *et seq.*

³ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1035.

in the scale, to have been worth at that time one hundred and five in bills. By January, 1778, the hundred and five had become three hundred and twenty-five. In 1779, seven hundred and forty-two dollars in bills were required to purchase one hundred in coin, while at the corresponding date in 1780, so rapid had been the advance of the price of gold that two thousand nine hundred and thirty-four dollars in bills were then required to effect the same purchase.

Let us now turn to our tabular statement of the values set upon the estate in the various returns at our command. It will be seen at a glance that every item in the schedule submitted by Chandler shares in the advance, with the exception of the Cedar Swamp lot. The value of this was, probably, vested in standing timber. It is not unlikely that the lower valuation given by the appraisers in the later appraisals was due to the fact that the timber had been in the mean time felled. The schedule of 1778 does not contain the Millstone Hill wood-lot, and Chandler's schedule does not contain the Leominster land, but setting aside these omissions, the total valuation of the 1778 appraisal is about two and one half times Chandler's valuation, while the 1779 appraisal is about five and one half times as great as Chandler's. The mansion house was in 1778 set down as worth exactly two and one half times what it was in 1774, and in 1779 had doubled the 1778 valuation. The Mill farm had doubled its value in 1778, and was worth six times the original valuation in

1779. The Uptown farm had increased in value nearly twofold in 1778, and in 1779 was rated over five times as high as in 1774.

These examples are selected because they represent the most salable of the property. It will be seen that they do not correspond with each other sufficiently to deduce from them any specific rates of advance, but taken in connection with the rest of the table, they indicate a nominal rise in value of about threefold in 1778, and of from six to seven fold in 1779. These appraisals were made in the fall of 1778 and in December, 1779, and if we could head the column in the table January, 1778, and January, 1779, we might consider the problem solved, for at these dates three hundred and twenty-five and seven hundred and forty-two dollars in bills, respectively, were equivalent to one hundred dollars in coin. In December, 1779, when we find the ratio of the appraisals about seven for one, the scale of depreciation shows nearly twenty-six for one.

It is evident that the appraisers did not use silver at par as the basis of their valuation. It is equally clear, if the appraisals are correctly dated, and if Chandler's estimate of values can be accepted as even approximately correct, that the changes in the valuations made by the appraisers did not correspond with those of the bills named in or covered by the scale of depreciation. It is certain that during the period that the "lawful money" bills of credit were in circulation, these bills, even if discredited, would have come within the statutory definition of lawful

money. The withdrawal of nearly all of them from circulation must have made it impracticable to determine their discount at any given time after the withdrawal began, and thus takes away from our consideration the only form of paper money which might have given us the key with which to solve this puzzle. Up to a certain point in the progress of the discount of the paper money, we might have been compelled to consider whether the silver in circulation might not have paralleled the paper money in its decline. We know that in 1705 the piece of eight "of scarce fifteen pennyweight" passed for six shillings. It must have been true, however, that long before the first of the local appraisals was made, the discount of the paper money had become too great for even light weight and clipped coins to remain in circulation.

If we cannot reconcile these valuations with any theory as to the "currency" or the "lawful money" based upon the facts as we know them, we can only arrive at arbitrary conclusions, resting not so much upon what our study has actually disclosed as upon inferences that appear to be unavoidable. It seems to me that the returns of the appraisers were intended to be made in terms of the currency then in circulation. If such was the case, then the estate must have been greatly undervalued by the local appraisers. The author of the note entitled "The Loyalists and their Fortunes," in volume vii. of Winsor's "Narrative and Critical History of America," says in a note (page 212), "They [the loy-

alists] complained of trickery, fraud, and gross injustice practiced towards them here. The real value of their property was underestimated in the sworn invoices sent to them." The inventories referred to herein were not sworn invoices sent to Chandler. They were returns to the judge of probate, but some of the motives which would have led to an underestimate in a statement to be used in England might have influenced these appraisers in their returns. At all events, if the appraisers made use of the currency which then constituted the circulating medium of the state, and if the alleged dates of the appraisals are correct, the real estate was greatly undervalued.

CHAPTER V

THE PAPERS OF THE PROBATE FILES ANALYZED

THE papers and records of this case may be classified under four heads : the probate files at Worcester ; the records of the Inferiour Court of Common Pleas, at Worcester ; the papers in the Massachusetts Archives ; and the documents in London, called herein the London transcripts.

The first in the series in the probate files at Worcester is dated April 18, 1777, and is a certificate addressed to the judge of probate, and signed in behalf of the committee of correspondence of the town by its chairman, to the effect that John Chandler and certain other persons had fled to the enemy.¹ This document was prepared under section one of the act to prevent the waste, destruction, and embezzlement of the goods or estates of refugees,² and conforms to the requisites of the act in setting forth a state of circumstances which would give the judge of probate jurisdiction, provided he did not insist upon a technical compliance with the language of the act.

The certificate was in the following language : —

¹ See Appendix for copies of the papers referred to.

² *Acts and Res. Prov. Mass. Bay*, vol. v. p. 629 *et seq.*

WORCESTER, April 18, 1777.

To the Honorable Levi Lincoln, Esq^r: Judge of Probate for the County of Worcester.

The Committee of Correspondence, Inspection & Safety for this Town, would inform your Honor, that Agreeable to a late act of the Great and General Court of this State, to prevent waste, destruction, or embezzlement of the Estates of those persons who have left them & fled to the enemy and as by said act information must come to the Judge from the Selectmen or Committees of said Towns where said Estates are . . . The Committee for this Town in conformity to said Act would inform your Honor, that John Chandler, Esqr. has absented himself, leaving a wife & family, that James Putnam, Esqr. has absented himself, with his whole family excepting one negro man. . . . That Rufus Chandler has absented himself with his wife leaving one child. . . . That Doctr. William Paine has absented himself & since sent for his wife leaving one child, . . . all which persons except Mrs. Paine have been absent more than three months & said Committee verily believe have fled to the enemy. By order of the Committee of Correspondence &c for Worcester.

JOHN CUNNINGHAM, Chairman.

The section of the act under which this certificate is drawn requires the certificate to be under the hands of the major part of the selectmen or committee of correspondence, etc., authorized to make

it, and the law also demands that the officers making it should set forth : 1st, that the refugee was an inhabitant of their town ; 2d, that he had been absent for three months or upwards ; 3d, that he left real or personal estate, within the state, to the value of twenty pounds or more ; 4th, that those who furnish the certificate, upon the best information they can obtain, verily believe that the absent person went to the enemy ; 5th, that this act was voluntary on his part ; 6th, that he was still absent ; 7th, that he was out of the state at the time when the certificate was drawn up.

This certificate totally fails to come up to the first requirement of the act. It was not under the hands of the major part of the committee of correspondence, etc. Moreover, the committee seem to have been in error as to the necessary premises to give them power to act in the matter. They assert in the certificate that the information given to the judge must come from the selectmen or committee of the towns in which the estates of the refugee lie. The act does not require that the estates should lie in the town, but does require that the absentee should have been an inhabitant thereof. The certificate does not set this fact forth. It also fails to allege that the abandoned estate within the state was worth twenty pounds or more. The fact that the belief on the part of the committee that the absentee went to the enemy was based upon the best intelligence they could obtain is not averred, nor is the important fact alleged that his flight was

voluntary. The certificate does not specifically assert that the absentee was still absent from Worcester, nor that he was then out of the state. It may be said that some of these omissions were matters of inevitable inference from what was actually said, and that all of them, even the most important, were currently believed. It cannot be doubted that all of these defects are merely technical, and that their occurrence in the certificate is to be ascribed to lack of skill on the part of the person who drafted the document. Where jurisdiction of the courts could be acquired, in cases involving the right to the possession of so great an amount of property, by the mere assertion of belief to certain facts based upon the best information available, it would probably be asking too much to insist that the judges should have required a technical compliance with the law on the part of the committee, in order to gain jurisdiction.

It was to escape from the persecutions from his former friends and neighbors, from which he had already suffered, and which would inevitably have been continued unless he should abandon his political opinions, that Chandler, in the fall of 1774, sought safety in Boston, and it is not surprising, under these circumstances, that the omission in the certificate of the allegation on the part of the committee that the flight was voluntary was overlooked by the judge of probate.

Upon the filing of a certificate by the proper officers, which should set forth the requisite facts, the

judge of probate was authorized and empowered to nominate and appoint a discreet person to be agent of the absentee. Such agent was required to file an inventory of the estate within three months, and was instructed to sell at public auction the personal estate, except as otherwise provided for, and with the proceeds to pay creditors within the United American States. Any surplus remaining in the hands of the agent after such payments was to be paid in to the treasurer of the state.

On the 7th of May, Joseph Allen was appointed "Agent on the Estate of John Chandler, Esq." Allen filed a bond with two sureties, having a penalty of two thousand pounds lawful money, for the faithful performance of the duties which under the statute he was required to perform. It is through the date of this bond, and through the time fixed therein for the return of the inventory, that we are able to fix the time of Allen's appointment. The bond was dated May 7, and the agent bound himself to file the inventory, which was, by the statute, required within three months of the appointment, "at or before the seventh day of August next ensuing." The bond, which is number 2 on our list, was drawn up with skill, but the blanks left to be filled in on execution still bear witness to the carelessness or incompetency of those who supervised this act.

It was provided in section two of the act to prevent waste, etc., that persons should be appointed and sworn to appraise the estate which should come into the hands of the agent in the same manner as

was then required in the settlement of the estates of deceased persons. The next four papers from the files are orders of the probate court appointing appraisers in Worcester, in Hampshire County, in Leominster, and in Royalston. Upon each of these documents the jurat certifying the oath which was administered to the respective appointees is duly entered.¹ The appraisers were ordered severally to appraise the property in lawful money, and to make their returns as soon as conveniently might be. Special instructions were given to the Worcester appraisers as follows: "If the said absent person left a wife behind him or family you are to apprise the bedding utensils and implements of household furniture every article separately by itself, and if there are any in the family of the sd John Chandler Esqr. which he was obliged to support, who are not able to maintain themselves, you will return their names with their several inabilities and the support they stand in need of." In the instruments themselves, these orders of appointment are termed warrants. The document which was issued to the Leominster appraisers contains not only the original warrant and the jurat, but also bears the return of the appraisers. There being but one piece of land in Leominster, the appraisers immediately upon ap-

¹ In the warrant of the Hampshire County appraisers, the first of the appointees is named John Cutting. The oath to perform the duties was according to the jurat administered to John Kirkland. There is nothing in the papers to explain this. Kirkland is described in the jurat as "one of the appraisers."

pointment made their return, and recorded the same upon the warrant itself.

The special instructions to the Worcester appraisers, heretofore quoted, were in recognition of the rights accruing to the family under the fifth section of the act to prevent waste, etc. Judges of probate were, by that section, authorized and empowered "to allow bedding, utensils and implements of household furniture, necessary to the upholding of life, for the use of the wife and family of the absent person." The judge could "also assign to the wife the use and improvement of one third part of the real estate, during the absence of the husband."

The seventh document of the files is a petition to the judge of probate, on the part of Mary Chandler, November 20, 1778, requesting him to use the power lodged in his hands by the act, and assign to her one third part of the improvement of her said husband's real estate, during his absence. This petition was not granted by the judge, and as the family at this time must have been dependent upon the estate for support, we must look elsewhere for authority for the agent to apply any part of the income of the estate for this purpose. This is to be found in the resolve passed June 25, 1776, authorizing committees of correspondence having estates of refugees in their possession to allow for the support of the families so much of the improvements as, combined with the industry of the families, would provide for their comfortable support.¹ In

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 711.

the act to prevent waste, etc., in the eleventh section, similar power is lodged in the hands of the judge of probate. He was authorized to allow out of the rents and profits of the estate, for the better support of those persons remaining in the state and demeaning themselves as faithful subjects, whom the absentee was obliged to support, such sum of money as he should judge reasonable, having regard to their ability to support themselves. The instructions to the Worcester appraisers show that the judge, in drafting them, had this section in mind. The appraisers were to return the names of those in the family unable to support themselves, with their several inabilities and the aid of which they stood in need.

The next documents in the files are the returns of the appraisers, other than those appointed from Leominster, whose return was made at once on the warrant of appointment. The Royalston appraisers, November 28, 1778, estimated the value of the real estate there at £1100. The Hampshire County appraisers first made a return of the value of the property in 1774, 1775, but the agent objected to this, and they then added what they supposed to be the additional value of the lands in December, 1778.¹ The general effect of this was to increase the valuation nearly three and one half fold.

¹ This Hampshire County property was the subject of protracted controversy before the General Court. It was originally purchased from the Province at public auction and conveyed by the purchaser to four grantees, Chandler being one. The purchasers petitioned for a rebate from the purchase price, and the matter was compromised

The returns of the Worcester appraisers of the real and personal estate are in separate parts and carry two dates. The detailed inventory of the personal property bears the inscription, "Done at Worcester, April y^e 7, 1777." The return of the real estate in Worcester and vicinity is dated January 9, 1779.

Accompanying these and forming a part of the same document is the jurat entered by the judge of probate, March 17, 1779, which sets forth that the agent then made oath that the foregoing inventories together constituted a just and perfect inventory of all the estate of the said absentee, except the rents of the real estate and the proceeds of the sale of the stock. The several inventories above alluded to are contained in the papers numbered as follows: the Leominster return, 5; the Royalston return, 8; the Hampshire County return, 9; the Worcester return, 11. The oath of the agent is probably in-

by an additional grant of land. There was afterwards a lengthy discussion before the general court as to the duty of the proprietors to construct a bridge over Westfield River, the details of which are given, *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1231 *et seq.* All of the proprietors but one were absentees, and the discussion resulted in the passage of an act, June 19, 1779, authorizing the Court of General Sessions of the Peace to build the bridge. The court was further authorized, if it was found to be necessary, to sell enough of the lands to pay for the bridge. *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1069. They apparently did this, for a deed made by the Clerk of the Peace for the County of Hampshire in consequence of the Act of June 19, 1779, was subsequently declared void by the general court. *Laws and Res. of Mass. 1780-81*, ch. 56, p. 248. June 28, 1781, Lot No. 9 of the Murrayfield property was granted to Thaddeus Newton. *Laws and Res. of Mass. 1780-81*, ch. 1, 1781, p. 479.

tended as a substitute for the one that he was required to make, under the second section of the act to prevent waste, etc., to an inventory which it was his duty to file within three months from the time of his appointment.

A comparison of the date of the appointment of the Worcester appraisers with the dates on the inventory returned by them shows that the detailed inventory of personal estate was made up a month before the warrant of appointment was issued, and two days before the passage of the act to prevent waste, etc., under which, by the terms of the appointment, they were to act. It is clearly the intention of the act that appraisers should be sworn to the faithful performance of their duties before actually entering upon their work, but in this case they apparently proceeded to inventory the real estate, and after filing this and simultaneously filing the inventory of personal property previously prepared, they swore that "in executing the trust reposed in them they acted faithfully and impartially according to their best skill and judgment."

The evident desire of the parties concerned in these proceedings to take no steps which were not sanctioned by some existing law calls for an examination, at this point, of the possible authority for the action of these appraisers in thus taking possession of the personal property at this early date.

A review of some of the legislation already referred to which bears upon this question, and which was enacted prior to the passage of the act to pre-

vent waste, etc., is necessary at this point, in order that we may know what officers were entitled at this time to take possession of the estate and to make an inventory of the personal property.

On the 19th of April, 1776, the committees of correspondence, safety, and inspection of those towns in which there was any property belonging to refugees were, by resolve, instructed to take possession of such estates, to lease the real estate for the benefit of the colony for one year, and to return inventories of the personal estates which should come into their possession. From the effects of this resolve, estates which had been conveyed by refugees to persons friendly to the colony prior to March 22, 1775, were excepted. This resolve was not passed by the council until April 23, but it is occasionally referred to under the date of its passage in the house as above.

There were other resolves passed after this date and prior to the passage of the act to prevent waste, etc., which touched upon the question of the management of the property of trustees, but they were either merely explanatory or local in their character. From the 23d of April, 1776, until the 9th of April, 1777, the resolve known as the House Resolve of April 19 stood upon the statute books as the only source of the authority under which any person was authorized to take possession of the property of refugees elsewhere than in Boston. The inventory of personal property must, therefore, have been prepared originally for "the Colony," by the

Worcester committee of correspondence, under that resolve.¹

The paper numbered 10 in the series received from the probate office is headed "An Inventory of the real Estate of John Chandler, Esqr., late of Worcester an absentee as contained in several inventories taken by appraisers appointed for that purpose." It has no signature attached to it and bears no date, except one which forms a part of the Hampshire County return. It contains all the real estate and must, therefore, have been prepared after all the returns were filed. The total footing of the estimated value of the Leominster and the Worcester real estate is given as £27,040, but the correct addition of the several items is £26,040.

On the 17th of March, 1779, Mary Chandler renewed her petition for the assignment to her of the use and improvement of one third of the real estate of her husband, alleging as a reason for her reappearance in court that the anxiety and solicitude attending the long suspense she had been in relative to the premises were very disagreeable to her, for which, as well as other reasons, she was moved to make this request, which, if granted, would be of

¹ The Worcester appraisers were Samuel Curtis, Nathan Perry, and Samuel Miller. The committee of correspondence, etc., elected March 14, 1777, was composed of John Cunningham, William Stearns, Samuel Miller, Samuel Brown, and Josiah Pierce. *Collections Worcester Soc. of Ant.*, vol. iv. p. 289. Miller was the only appraiser who was a member of the committee of correspondence, etc. Curtis was an assessor that year. Perry was selectman, and had 60 votes out of 61 cast at the town meeting for county treasurer.

essential service to her, as a permanent security for the support of herself and her orphan family.

This petition, which is document number 12 on the list, must have been based on the act to prevent waste, etc., that being the only act existing at that date under which the judge of probate had the power to make such an assignment. The rights which she could acquire under that act were limited in their duration to "the absence of her husband." It is pathetic, therefore, to note that she asks for the assignment as a *permanent* security for the support of herself and family. An explanation of her abandonment, at this time, of all hope that her husband might be permitted to return to his former home is to be found in the passage, on the 16th of October, 1778, of the "Act to prevent the return to this State of certain persons therein named, and other persons who have left this State, or either of the United States, and joined the enemy thereof."¹ John Chandler belonged to the class of persons who were considered of enough importance to be "therein named." His absence, therefore, must necessarily, after the passage of this act, have been regarded as permanent.

On the 29th of April, 1779, the agent filed an account, number 13 on the list, charging himself with what he had received from leases during the then current year, and taking credit for disbursements made in behalf of the estate. On the 4th of May, oath as to the accuracy of the account was

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 912.

administered by the judge of probate, and the account was duly allowed, and the agent was ordered to pay over the balance to the treasurer of the state. This action was taken in pursuance of a resolve of the general court, passed February 19, 1779, in which those agents who had not made up inventories were ordered to do so immediately. They were also required to make up their accounts with all possible expedition, and after deducting such allowance to the wife, widow, or family of the refugee as the judge of probate might have approved, to pay over the balance to the treasurer of the state.¹

The next paper, number 14, is an order of the probate court appointing three commissioners to examine claims of creditors against the estate and report thereon at or before September 1, 1780. It does not appear when these commissioners executed their trust and filed their report, but there is a jurat attached to the order of court by Joseph Wheeler, a justice of the peace, certifying that in May, 1782, the within-named commissioners made solemn oath that in executing the trust reposed in them by virtue of the commission they acted faithfully and impartially according to the best of their skill and

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1000. *Mass. Arch.*, vol. 221, no. 146 ; *Printed Resolves*, res. cxcv. In this account the agent charges himself with rentals received from lessees in Worcester and Hampshire counties. Special authority had been given him to lease certain real property for one year at a rental to be approved by the selectmen of Worcester. *Resolves of the General Assembly of the State of Massachusetts Bay*, res. xxvi., April 9, 1778, p. 6.

judgment. The order appointing the commissioners bears evidence of having been drawn up under the fourth section of the act to prevent waste, etc., which authorized the appointment of commissioners in this way in case the estate of the absentee was insolvent. The commissioners were required under this section to advertise the times and places of their meetings in such papers as the judge of probate should direct, and were to make their report in six, twelve, or eighteen months, at the discretion of the judge of probate. This report was required to be sworn to. All of these requirements were set forth in the order.

Colonel Chandler's estate was not insolvent. The general evidence bearing upon this point is satisfactory enough, but if we need testimony that the estate was then regarded as solvent, it is to be found in one of the papers already reviewed. In the account of the agent, the paper submitted just before the one we are considering, he incorporates the phrase, "excepting what has been allowed by the honorable judge of probate to the wife and family of the absentee." This allowance the judge was authorized to make under section eleven of the act to prevent waste, etc., in cases where the estate of the absentee was not insolvent. It follows, therefore, that notwithstanding the evident fact that the order appointing the commissioners, with its instructions as to advertising and its requirements that the list of claims should be under oath, etc., was drafted under section four of the act to prevent waste, etc.,

the authority for their appointment was not derived from that act. It is to be found in the third section of an act in addition to an act to prevent waste, etc., passed October 16, 1778.¹ This section simply authorizes the appointment of such commissioners, whether the estate is insolvent or not, without requiring any special method of procedure on their part, or limiting in any way the time in which they may perform their duties. The act is, however, by its terms a mere addition to the act to prevent waste, etc.

It has been seen that Mrs. Chandler twice petitioned the probate court to have assigned to her the use and improvement of one third part of her husband's real estate. She was entitled, under the act to prevent waste, etc., to so much of the household property as was "necessary to the upholding life." So far as the real estate was concerned, the judge of probate had power given him under that act to assign to her use and improvement one third part of the real estate "during her husband's absence." The exercise of this power was, however, discretionary on his part, and he had evidently preferred to make use of the alternative power given him in the same act to make her an allowance out of the rents and profits of the estate. In May, 1779, the "Act for confiscating the estates of certain persons commonly called absentees"² became a law. Under the ninth section of that act, Mrs. Chandler, having

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 911.

² *Acts and Res. Prov. Mass. Bay*, vol. v. p. 968.

remained continuously within the jurisdiction of the United States, became entitled to the improvement and income of one third part of the husband's real and personal estate (after payment of debts) during her life and continuance within the said United States. Her right to this part of the income and improvement of the estate was not only clear, but the language of the act was imperative that the property should be set off to her. "Her dower therein," says the statute, referring to a wife situated as was Mrs. Chandler, "shall be set off to her, by the judges of probate of wills, in like manner as it might have been if her husband had died intestate, within the jurisdiction of this State."¹

It was under this section that the judge of probate, on the 12th of October, 1779, appointed a committee to appraise the real estate and to set off to Mary Chandler, the absentee's wife, one third part of the said real estate, so as may be convenient for her, for her dower therein during her life and continuance within the United States of America, and what the committee so set off they were to describe by plain and lasting metes and bounds, that so confusion might be prevented upon the reversion of the dower. The committee was instructed to give notice to all concerned, and if all parties were satisfied with their proceedings, they were to signify the same by countersigning. Their commission was to be sealed up with their report and returned with all convenient speed to the register's office of pro-

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 971.

bate by one of themselves. This warrant appointing the committee is the 15th paper in the series, and bears the jurat of the judge of probate certifying that the several commissioners made oath to the faithful execution of the trust reposed in them on the 6th of December, 1779.

The next document, number 16, is the report of the commissioners, dated December 6, 1779. They estimated the value of the real estate at £76,515, more than double that given in the previous appraisal, and they set off to the wife as the third part of the real estate, the homestead, two pastures, a farm, a wood-lot, a pew in the meeting-house, and a ten-acre lot on the Paxton road, all of which they estimated to be worth £25,505, exactly one third of the value assigned by them to the total real estate. They stated that the land and buildings thus set off were all in the town of Worcester. Beneath the signatures of the commissioners the words "We consent" were written, and these were followed by the signatures of Mary Chandler and Joseph Allen, "Agent on the estate of John Chandler Esq. an Absentee."

Then follows the order of the judge of probate, February 8, 1780, setting off the above-mentioned estate to Mrs. Chandler for and during the term of her natural life and continuance within any of the United States of America.

These commissioners had nothing to do with the personal estate. An allowance of one half the household goods for the use of Mrs. Chandler had

already been made by the agent, as appears from a report subsequently made by him. A third valuation of the real estate at an earlier date was made by Chandler. The values given in these several inventories are not reconcilable with any theory as to the value of real estate in Massachusetts, nor if by "lawful money" the appraisers understood currency, with the depreciation of the currency at the alleged dates of the later appraisals. The question of the meaning of these returns has been discussed elsewhere, and at this point nothing further need be said.

The 17th paper on the files is an annual report of the agent, bearing no date itself, but containing the certificate of the judge of probate, May 20, 1780, that the agent on that date swore to the truth of the account and that the same was allowed by the court. The balance the agent was ordered to pay into the treasury of the state, "agreeable to a resolve of the great and general court for that purpose." The resolve referred to must have been the one passed February 19, 1779, which, so far as agents already duly appointed by courts of probate were concerned, merely ordered them to pay in the money "as the law . . . directs," thereby referring to the act to prevent waste, etc.¹

Number 18 is the report of the commissioners appointed to examine the claims of creditors against the estate. The report is dated December 25, 1781, but has attached to the list of claims a certificate of

¹ *Acts and Res. Prov. Mass. Bay*, vol. v. p. 1000.

allowance of claims against the estate, dated January 1, 1782, signed by the commissioners, and an order of the court of probate accepting and allowing the report, dated May 7, 1782. The report is signed by the commissioners who were appointed September 1, 1779, and who, as it appears in document number 14, made oath in May, 1782, that they had faithfully executed their trust. The two papers, 14 and 18, were evidently before the judge at the same time, and the endorsement of the jurat was made on number 14. The oath is thus thrown out of its proper chronological sequence.

Numbers 19 and 20 are certificates that a certain amount is due from the estate to the claimants respectively named in the certificates. The papers are alike in form and recite the appointment of the commissioners. They each contain an allegation that the full amount of the claims is so much in silver, and that the sum of so much is due to the claimant named in the certificate. The claim described in number 20 is mentioned in the report which is number 18 of our list, and the total amount of claims given in this certificate agrees with the amount stated in that report. The other, number 19, refers to a claim not to be found in number 20, and gives a different sum as the total amount of claims against the estate. From this it is evident that the commissioners made more than one return. Both certificates are dated May 20, 1782, and in both the money used is silver at the rate of six shillings and eightpence per ounce.

These certificates were issued under authority conferred by the act to provide for the payment of debts due from the conspirators and absentees and for the recovery of debts due to them, passed March 2, 1781.¹

Number 21 is a bond of indemnity running to the judge of probate, given by a creditor of the estate with two sureties, and is dated May 20, 1782. It recites the fact that the committee appointed in the act to provide for the payment of debts, etc., had, under the authority conferred by that act, and by the addition to the act, paid to the creditor a claim allowed against the estate. If the estate should prove to be insolvent, the principal and sureties agreed to pay back "the rateable proportion" of the claim, so that all the creditors might receive in proportion to their just demands. The authority for this proceeding is to be found in the "Act in addition to an act entitled An Act to provide for the payment of the debts," etc., which was passed May 15, 1781, in which the committees were authorized to make such payments, provided the creditor gave his bond with sureties to refund and pay back his ratable part and proportion in case said estate should prove insolvent.²

Number 22 is a reappointment, January 10, 1782,

¹ *Laws and Res. of Mass. 1780-81*, ch. 50, p. 115 *et seq.* This volume is cited by the binder's title to distinguish it more readily from the *Acts and Resolves of the Province of Massachusetts Bay*. It is the first of a series of reprints of the laws and resolves of the state now being issued.

² *Laws and Res. of Mass. 1780-81*, p. 124, ch. 53, May 15, 1781.

of the commissioners to examine claims against the estate not before examined. It purports to have been made under authority conferred by a resolve of the great and general court dated March 7, 1782. There are numerous resolves and acts, passed from time to time to cure defects in the various acts and resolves under which these proceedings were conducted, and it happens that there was one, the date of which, in the published laws of the state, is given as March 7,¹ but this deals with the question of leasing the estates by the committees appointed to sell them. There is, however, a resolve dated March 8, 1782, which seems to be the one that covers the case.²

There is no endorsement on number 22 to show that the reappointed commissioners declined to serve, but the fact that number 23 is a warrant appointing a fresh board of commissioners to examine new claims against the estate would make this probable. The date of number 23 is February 6, less than a month after the reappointment of the old board. Three citizens of Worcester are appointed therein to receive and examine claims not before examined and allowed. It is evident that one of these gentlemen refused to serve, for on the 20th of February a second warrant, number 24, was issued, naming, as commissioners, two of the

¹ This was an instruction to the committees for the sale of the estates of absentees to lease any of them for the ensuing year. *Laws and Res. of Mass. 1780-81*, p. 925, ch. 524, March 7, 1782.

² *Laws and Res. of Mass. 1780-81*, p. 919, ch. 514, March 8, 1782.

gentlemen appointed in number 23 and substituting the name of another citizen of Worcester in place of the third. The report of the commission, dated May 20, is attached to the warrant, and bears the jurat of a justice of the peace, dated June 3, 1783, certifying that the commissioners made oath that in executing the trust they acted faithfully and impartially according to their best skill and judgment, and the allowance by the court, October 7, 1783. The judge also appends a certificate that the report has been forwarded to the governor and council.

Number 25 is another bond of indemnity dated March 1, 1783, similar to number 21.

Number 26 is an order of the court of probate accepting and allowing the report of the commissioners reappointed to receive and examine claims against the estate. It is dated October 7, 1783, and refers to the report, dated May 20, attached to number 24.

Number 27 is the report of Joseph Allen, agent on the estate of John Chandler, Esqr., an absentee. The agent charges himself in June, 1777, with cash received from the sale of cattle and with cash received from the committee of correspondence, etc., of the town of Worcester. He also charges himself with sundry obligations given to the committee of correspondence which he had collected. These were evidently on leases.¹ The balance in his hands

¹ The resolve of April 19, 1776, authorized committees of correspondence to lease real property for one year, and instructed them to return an inventory of the personal property. The agent charges

May 3, 1779, was £425-6-3, which he converted into £34-13-3 silver. The balance in his hands February 3, 1784, was £68-15-8, which he then apparently paid into court. There is an entry of this latter date which is in the form of a certificate to the effect that the agent made oath to the truth of the account; that the account was allowed; that the money had been received; and that the agent was discharged. This lacks any signature, but was presumably prepared for the judge of probate.

Number 28 is a receipt taken by the register of probate, April 14, 1785, on surrender of a certificate of a claim against the estate.

Number 29 is a certified copy of a resolve of the general court, June 15, 1785, authorizing the appointment of commissioners to examine the claim of Thaddeus and William Maccarty, the same to be paid, if allowed, out of the part of the estate set off for dower.

Number 30 is a warrant, dated June 1, 1787, appointing commissioners to examine this last-mentioned claim.¹ It bears the jurat of a justice of the

himself with cash received in June, 1777, from sale of cattle at vendue. These sales were probably effected under special authority conferred by resolve passed December 26, 1776, authorizing the Worcester committee to sell certain stock at public vendue. See contemporaneous publications of the resolves, December, 1776.

For some reason Allen petitioned the general court for instructions as to leasing certain real property in 1778, and on the 9th of April was authorized to effect the leases at a rental to be approved by the Worcester selectmen. *Resolves of the General Assembly of the State of Massachusetts Bay*, res. xxvi., April 9, 1778, p. 6.

¹ On the 4th of June, 1785, John Chandler Williams was, by re-

peace, dated July 9, 1787, certifying that the commissioners made oath that they would act faithfully and impartially according to their best skill and judgment in receiving and examining the claim, and also the report of the commissioners on the 10th of July, 1787.

With this paper our review of the case, so far as the probate files are concerned, must cease. The action of the general court in ordering the Maccarty claim to be satisfied out of the dower estate will recall to those who have noted the peculiarities of the different statutes that the act to prevent waste, etc., provided that the allowance to the wife should be assigned as in the case of administration upon the intestate estates. That is to say, debts must first be paid. Under the Confiscation Act her allowance was to be set off after payment of debts.

Under the "Act to provide for the payment of debts," etc., one third of the real estate was to be set off to her, and creditors were to take their chances out of the two thirds. Under this special act the dower estate was to pay the whole of the claim.

solve of the general court, authorized to present a claim against the estate. If allowed, it was to be paid out of the dower estate after two years from February 11, 1785. *Laws and Res. of Mass. 1784-85*, ch. 9, p. 630. The Maccarty claim was in a similar way authorized to be presented by resolve on the 15th of June. *Laws and Res. of Mass. 1784-85*, ch. 25, p. 638.

In 1782, a claim of John Cunningham had been allowed by resolve of the general court, provided the estate paid all other creditors. This was not payable out of the dower estate. *Laws and Res. of Mass. 1782-83*, ch. 7, p. 190.

CHAPTER VI

THE COURT RECORDS AND THE ARCHIVES

THE records of the Inferiour Court of Common Pleas are now in the custody of the clerk of the Superior Court. From these it appears that at a term of the court held in Worcester in September, 1779, Levi Lincoln of Worcester, in the county of Worcester, attorney for the late government and people of the State of Massachusetts Bay in New England, and now the Commonwealth of Massachusetts, having been specially appointed for that purpose, came into court and made two complaints against John Chandler, in both of which he set forth that a certain state of facts existed which evidently brought Chandler within the definition of those against whom the Confiscation Act was directed.¹ He further alleged in each complaint that on the 1st day of January, 1775, Chandler was seized and possessed, and was then entitled to be seized and possessed, of certain real property fully

¹ The complaints were based upon Chandler's flight to Boston, his remaining there after April 19, 1775, and his departure therefrom after April 19, 1775, to Great Britain, without permission of some legislative or executive authority. These substantial facts are true, but the dates given in the complaints are all wrong.

described by metes and bounds in the two complaints, the one covering the property in Royalston, the other covering land in Worcester and neighborhood, and pews in the meeting-house. The complaints then allege that, "by force of the premises and the law of this State intituled 'An Act for confiscating the estates of certain persons commonly called absentees' the said several tracts of land with their appurtenances ought to escheat, enure and accrue to the sole use and benefit of the government and people aforesaid."

The cases were continued to the session of the court in December, 1779, and the clerk of the court was ordered to make out a notification that claimants to the estate might then and there enter their claims. At the latter term of court, a deputy sheriff made return of said notification; that in Royalston, there being no mansion house, he had posted it in a public place in the town; in Worcester he had left it at the mansion house. No person appearing at this term to take upon him the defence of the suits, they were continued to the March term, 1780, at which time John Sprague appeared for the defence and the cases were continued to the June term, when Sprague appeared again. The cases were then continued to the September term, Sprague still appearing in the record as representing the defence. The cases were then continued to the December term, when defaults were taken. The following order was then entered in each case: "It is by the court considered that the said John Chan-

dler is guilty in manner and form as alleged against him, and that the lands, tenements and hereditaments described in the said complaint, with the appurtenances, privileges and easements thereunto belonging are forfeited and do escheat, enure and accrue to the sole use and benefit of the Commonwealth of Massachusetts; and that a writ of habere facias possessionem issue in behalf of the Commonwealth aforesaid to cause them to be seized and possessed of the same.”¹

The Royalston estate described in the complaint comprises all the lots mentioned by the appraisers, and they can be identified by their numbers, with the exception that in the complaint the number of one of the lots is given as 91, while in the appraisal it is given as 90. There are, in addition, in the complaint fractional interests in lots amounting to about fifty-five acres.

The property described in the Worcester complaint evidently includes all of the dower property. The writs of habere facias possessionem were duly issued. They were dated January 24, 1781, and were returned as executed, putting Levi Lincoln in possession, that which covered the Royalston property February 10, 1781; that which covered the Worcester property February 24, 1781.² Mrs.

¹ The complaint is drawn up under section four of the act for confiscating the estates of certain persons commonly called absentees (*Acts and Res. Prov. of Mass. Bay*, vol. v. p. 968), and the notification and service of the same are in accordance with the provisions of the same section.

² See London transcripts, *post*.

Chandler, being then alive, still retained possession of the property which had been assigned to her use. In September, 1783, she died, and on the 4th of October the general court authorized seven of the children to take possession and improve for their advantage that part of the real estate of their father, lying in Worcester, that was set off to their mother for the support of her and the children, until the further order of the general court.¹

On the 2d of July, 1784, the general court ordered all confiscated estates to be sold by auction.² This, of course, included the estate which had been allotted to the children until further order of the general court, but this was rectified by the passage, on the 11th of February, 1785, of a resolve continuing in force the resolve of October 4, 1783, which had authorized Charles Chandler and others to take possession and improve a part of the estate of their father for the space of two years from the date of February 11, 1785, the resolve of July 2, 1784, notwithstanding.³ It was while the family was in possession under this extension of the resolve of October 4, 1783, that, by special legislation, John Chandler Williams and Thaddeus and William Mac-

¹ The names of the seven children are given in *Laws and Res. of Mass. 1782-83*, p. 744, *Resolve on the petition of Charles Chandler and others*, ch. 15, October 4, 1783. In this list the name of Samuel Chandler is included. The same resolve is published in the contemporary publication of the *Resolves of the General Court of the Commonwealth of Massachusetts in New England*, Boston, 1783, p. 47, but the name of Samuel Chandler does not appear.

² *Laws and Res. of Mass. 1784-85*, ch. 53, p. 234.

³ *Laws and Res. of Mass. 1784-85*, ch. 46, p. 343.

carty were authorized to prove claims against the estate, the same to be satisfied, if allowed, out of the dower estate, after the two years should have expired.¹

On the 10th of June, 1786, on the petition of the children to the general court that the part of their father's estate which had been assigned and set off to their mother as her third be granted and confirmed to them in fee simple, it was resolved "that the prayer of the petition be so far granted that they have conferred unto them, and hereby are seized and possessed in fee simple as tenants in common, of all that part of their father's real estate which was assigned and set off to their mother for her thirds (excepting a certain parcel thereof which hath been described and granted to the county of Worcester for the purpose of erecting a gaol thereon), the petitioners paying and discharging all those debts due from the said estate which have not already been paid."² This resolve was, on the 23d of June, repealed, and a new resolve was passed setting forth that the resolve recently passed failed of its beneficial intent, and putting the same parties in

¹ *Laws and Res. of Mass. 1784-85*, ch. 9, p. 630, and ch. 25, p. 638.

² *Laws and Res. of Mass. 1786-87*, ch. 13, p. 278. The gaol lot was granted to the county of Worcester on petition of the justices of the court of general sessions, February, 1785, by resolve of the general court. *Laws and Res. of Mass. 1784-85*, ch. 58, p. 349. The lot stood on what is now Lincoln Square, and the brook, which is now converted into a city sewer, is called Swift River in the resolve. The title vested in the county so long as the county should continue and maintain a public gaol thereon, or should rebuild the same.

possession of the same property, they "paying and discharging all those debts due from the said estate, which have not already been examined and allowed by the commissioners on the same, as reported to the judge of probate for the said county."¹ There is not enough information to be extracted from the papers connected with the case to fully explain the meaning of the change in this resolve.

Copies of these Court Records are numbered 31 and 32 in the calendar.

There are ten papers in the "Massachusetts Archives," most of them being of little value. Number 33 is a return to the general court, May 26, 1777, pursuant to the requirements of the resolve of "April 19, 1776," made by the committees of correspondence, safety, and inspection of Murrayfield, showing what had been accomplished in the way of selling the personal property of Chandler left in that town, and reporting a lease of real estate for one year.

Number 34 is a report of the judge of probate, May 8, 1782, to Governor Hancock, embodying the report of the commissioners to receive and examine claims, which appears as number 18 in the papers of the probate files.

Number 35 is a certificate of the judge of probate, May 20, 1782, as to a claim.

Number 36 is an extract from a list of the names of agents, forwarded June 8, 1782, by the Worcester register of probate in response to an order of the general court.

¹ *Laws and Res. of Mass. 1786-87*, ch. 47, p. 292, June 23, 1786.

Number 37 is a report to Governor Hancock, made by the judge of probate of Worcester County, October 7, 1783, that pursuant to a resolve of the general court bearing date March 7, 1782, certain commissioners to receive and examine claims had been reappointed. The substance of the report of the commissioners is given, by which it appears that the claims returned are those given in the report which has already appeared as number 24 in the papers of the probate files.

Number 38 is a statement of account of the Chandler estate with the committee for the sale of absentees' estates in the county of Worcester. The names of four purchasers are given: Levi Lincoln, Hiram Newhall, Solomon Goodell, and Silas Howe. The column of dates contains no entry except "April 20th, 1784," which has a line drawn through it. It is probably the date of the rendering of the account. The column of dates was evidently intended for the several sales. The entry there of the date of the account would be an error, and this would explain its erasure. This paper furnishes the last link in the chain of evidence relating to the disposition of the estate. We have the various acts of the agent and the committees from the seizure to the confiscation, and we now are able to lodge the title of a part of the real estate in the purchasers at the auction sale.

There are two papers filed in the "Archives" under the same number as the foregoing statement of account. They are vouchers connected with the

returns of the committee for the sale of the absentees' estates in Worcester County, but there is no entry in the account with which they can be identified.

The first of these, which is numbered 39, is a receipt of Gad Pierce. The second, which is numbered 40, is a memorandum of expense connected with the sale of the Chandler farm to Levi Lincoln.

Number 41 is a bill of the probate court of Worcester County, June 10, 1784. Number 42 is without date. It is a memorandum of the warrants drawn by the governor on the treasury in favor of creditors of the estate.

CHAPTER VII

THE LONDON TRANSCRIPTS

THE late Benjamin F. Stevens wrote concerning the papers in the Public Record Office which deal with claims for compensation for losses in the American war, as follows:—

“A history of the vicissitudes, losses, custody, and preservation of the Loyalists’ books and papers in the Record Office would be as romantic as interesting. It has usually been assumed that the Commissioners’ Entry and Minute Books have been a fairly complete recapitulation of the papers presented by the respective claimants, and these volumes of Entry and Minute Books have been consecutively numbered as if fairly complete. I have found a statement by one of the Commissioners to the effect that soon after the Board of Commissioners delivered their books and papers to the Government, several volumes were stolen or lost. That is a hundred years ago. The remaining books and papers were repacked and stored in official custody until they came into the Public Record Office some forty or fifty years ago. When they were unpacked they seem to have taken their present consecutive numbering.”¹

¹ *Proc. Am. Ant. Soc., April, 1901*, pp. 171, 172.

It was from these books and papers that Mr. Stevens caused the transcripts to be made with which we are about to deal. In the transcriber's note of contents the pagination refers to a MS. volume presented to the American Antiquarian Society. It was thought best to leave the list undisturbed, as the papers can be easily identified, and the calendar prepared for this volume gives them in detail by numbers.

When Chandler arrived in England, he was, according to his own statement, penniless. In September, 1776, he petitioned Lord George Germaine, principal Secretary of State for the American Department, that present support might be provided him. This petition is the first of the London transcripts, being number 43 in the calendar. There can be but little doubt that his case was favorably considered by Lord Germaine, as we know that during his residence in London he was in receipt of aid from the British government, and it is likely that this assistance began at that time. The grants then made to the refugees were regarded as merely temporary in their nature. The first were only for three months. Then as the war was prolonged they were renewed from time to time, and thus assumed the shape of quarterly grants. In the end they became regular annual allowances.¹

¹ *Historical View of the Commission for enquiring into the Losses and Claims of the American Loyalists at the close of the war between Great Britain and the Colonies in 1783*, by John Eardley-Wilmot, London, 1813, p. 16.

February 17, 1779, Chandler petitioned the lords commissioners of the treasury for a further consideration on their part of the peculiar hardships of his case, representing to them that the allowance he then received was not adequate for his support, and that he had been compelled to incur debts which he could not discharge. In this petition, which is the second of the London transcripts, number 44 in the calendar, he set forth at some length his former circumstances, and described the events which had compelled him to flee from his home. A hearing was given him on the 26th of October. The statements made in his petition were corroborated by certificates from General Gage, Governor Hutchinson, Thomas Oliver, and Robert Auchmuty. These certificates are respectively numbers 47, 48, 49, and 50.

In 1782 the pensions paid the refugees had assumed such proportions that the board of treasury appointed a committee to inquire into the cases of all the American sufferers, both of those who were already in receipt of assistance and of those who were claiming it, and to report their opinion thereon to their lordships.¹

There can be but little doubt that the petitions and certificates already mentioned were copied for the benefit of this committee, and that the copies used by the committee are those which have been preserved. The wrapper enclosing these papers is endorsed "R. 6. Nov. 1782," i. e., received 6th

¹ *Historical View of the Commission, etc.*, p. 18.

November, 1782. Apparently, Chandler availed himself of the opportunity thus afforded in the examination of his case to fortify it by the presentation of two new certificates, a second from Robert Auchmuty and one from Thomas Flucker, secretary of the province. These are numbers 45 and 46.

These papers are all from bundle 73, Audit Office, loyalist series, concerning which Mr. Stevens says, "The bundles of original papers in the Audit Office series, in which alone many of the claims for compensation can now be found, owing to the loss of some of the Commissioners' books, are of varying sizes and descriptions. Bundle 73, from which most of John Chandler's transcripts are taken, is approximately a cubic foot, and contains the papers of many claimants. The papers of each individual claimant are folded together, but otherwise there is no systematic arrangement. I have endeavored to give my transcript a chronological sequence."¹ The date which should be assigned to the foregoing papers would probably be November 6, 1782, the time when they were received by the committee.

The exhibits which accompany the memorials are, as a rule, copies of papers used in former proceedings either in England or America. Hence they antedate the papers which they accompany and to which they are necessarily subordinate. If they were introduced in their chronological sequence, it would be necessary to separate them from the papers to which they were originally appended. This

¹ *Proc. Am. Ant. Soc.*, April, 1901, p. 175.

would destroy the clues to the history of the case. Their introduction where they belong in the presentation of the case before the commissioners causes several instances of apparent violation of the chronological sequence in the arrangement of the papers. These were of course unavoidable, unless all pretence of following the case as it came before the commissioners should be abandoned.

The next transcript, number 51, is from folio 122, volume 105, of the loyalist series in the Audit Office. It is a record of a meeting of a board, whether of the committee under that style or of the lords of the treasury does not appear, but probably the latter. It does not bear any date, but it evidently holds its proper place in the chronological sequence, for at this meeting the certificates, which have already been described, were introduced, and in addition Harrison Gray is quoted as having testified to the same general purpose. The minute of the proceedings at this meeting is followed by a record of a decision recommending an augmentation of £50 in the future. This entry is the last of the transcripts which Mr. Stevens classifies under "Temporary Support."

We now come to the prosecution of Chandler's claim before the commissioners appointed under the act, and the several papers in these proceedings which follow are put by Mr. Stevens under the heading of "Compensation." By far the greater part of them are from bundle 73, which has already been described. Beginning with number 52, all the

transcripts up to and including number 96 are apparently from this source, and were furnished by Chandler to the commissioners. Before entering upon an analysis of these papers, a word or two may perhaps be permitted as to the circumstances surrounding the birth of this commission, from which one can learn to appreciate the highly creditable actions of the British government in assuming the heavy obligation of remedying the wrongs inflicted by the several states upon the exiled loyalists.

The work of the treasury committee of 1782 was well advanced when the treaty of peace was concluded in 1783. Every effort of the British commissioners during the negotiation which preceded the treaty having failed to secure from the United States an agreement to restore the property and protect the persons of the refugees, it was understood in England and foreseen by Parliament that the fifth article of the treaty, wherein it was agreed that Congress should recommend to the several states to take such action as would promote these results, would prove to be merely perfunctory, its insertion having been made solely to show the loyalists that they had not been forgotten. Parliament therefore took the matter promptly in hand and passed the "Act appointing Commissioners to enquire into the losses and services of such persons who have suffered in their rights, properties, and possessions, during the late unhappy dissensions in America, in consequence of their loyalty to

his Majesty and attachment to the British Government.”¹ The committee appointed by the Lords of the Treasury had under consideration 315 cases at the time of the passage of this act, and these “as unfinished business were turned over to the new Board of Commissioners.”²

Mr. Stevens gives an interesting account of the manner in which the commissioners conducted their meetings, which is of enough importance to be reproduced in this connection. “In the ordinary course,” he says, “the Commissioners would examine all the papers and then would lay aside the Memorial, one Schedule of Losses, when more than one, evidences, including affidavits, and perhaps one or two certificates to be copied into the Minute Book. The Commissioners by their own hands took down the oral evidence of the claimant and usually of two or three witnesses. These Hearing Notes would also be given in the Minute Book, and lastly the Commissioners’ ‘Determination,’ usually about one page, recapitulating the principal points of their reasons for arriving at their decisions and stating the amount awarded.”³ The volume of minutes covering this case is lost. It is not likely, however, that it would have furnished much additional information, as the presentation of the case was so fully made by means of documentary evidence, such as the memorials of Chandler, sustained by affidavits

¹ 23 Geo. III. cap. 80.

² *Proc. Am. Ant. Soc.*, April, 1901, p. 173.

³ *Proc. Am. Ant. Soc.*, April, 1901, p. 174.

and accompanied by copies of the Worcester papers. The amount of the final award, which is the only thing of importance that is missing, and which, of course, would not be found in the evidence, is preserved in the entry in the Liquidation Book, vol. 109, and is given later in the transcripts.

The first of the papers under the heading "Compensation," number 52, is a memorial of Chandler, dated February 9, 1784, addressed to the commissioners appointed by act of Parliament for inquiring into the losses and services of the American loyalists. In this he briefly states the basis of his claim for losses by confiscation and refers to two documents attached as exhibits. These are a copy of the Worcester protest and a schedule of his property.

The schedule follows next in sequence and is number 53 in the series. He gives therein a detailed list of the several parcels of real estate owned by him, to which he adds a brief statement of the confiscated personal property. A statement of losses of income from offices and from his store follows this. The valuation of the real and personal property foots up £11,076-13-6. In the heading of the schedule the words "Valued in Sterling" occur, and over the column of figures the word "Sterling" is written. There can be no doubt, therefore, as to the basis of this valuation. He makes no schedule of the debts due him, saying that he supposes they are secured to him by the treaty of peace, but he adds a list of the property concerning which

he has no evidence of confiscation. A list of witnesses whom he desires to have called to testify to his loyalty and to his losses is appended.

A supplemental schedule follows, dated March 15, 1784, making certain corrections, which, with allowances for losses of income, brings up the valuation of the estate to £16,566-13-6. In this he announces the death of his wife and adds the name of another witness to his losses. This paper is number 54.

Then follow the affidavits of James Putnam, Joshua Upham, Abijah Willard, Ebenezer Cutler, and Daniel Murray in corroboration of the accuracy of the valuations set forth in the schedule. These are numbers 55, 56, 57, 58, and 59, and were all of them sworn to before the Commissioners of American Claims at their office, Lincoln's Inn Fields, at different dates in July and August, 1784.

Number 60 is a certified copy of the celebrated Worcester protest. The interest which naturally attaches to this document is increased in this case by the fact that the certificate is contemporaneous, having been made four days after the meeting by Clark Chandler, the town clerk, who was compelled to expunge the protest from the record, and who was publicly reprimanded for having entered it.

The presentation of the case involved proof of loyalty and proof of loss through loyalty. The papers which have already been examined were devoted to these topics. There was no occasion for further evidence as to loyalty or character, but the commis-

sioners were not willing to rely exclusively upon the evidence of the refugees and their friends in the proof of pecuniary losses. They therefore sent an agent to America to collect such useful information as was possible, and they required claimants to submit proof of confiscation and of values procured from America. The papers which follow are in the main those procured by Chandler from the files and records of Worcester and Hampshire counties. Many of them are duplicates of those which have already been reviewed, and there are also several duplicates among the papers in the Record Office. This was probably occasioned by the protracted consideration of the case by the commissioners, which led Chandler from time to time to appeal for a decision, and to accompany such appeals with a few exhibits, some of which were cumulative as evidence and some were merely duplicates. Accompanying these copies of papers in America were certificates of clerks of courts and registers of probate to the accuracy of the copies, and in turn the right of these officers to give such certificates was authenticated under the seal of the state by the governor. The duplicates and the certificates we can eliminate from further consideration. Numbers 65, 66, 67, 68, 69, 70, 71, and 83 are duplicates of papers in the Worcester probate files; numbers 73 and 74 are duplicates of the Worcester court records; numbers 75, 89, 96, and 100 are notes by the transcriber as to duplicates among the transcripts; and number 99 is a duplicate of a paper already given in the tran-

scripts. Numbers 61, 81, and 86 are certificates by the governor, and number 72 is a certificate by the Worcester register of probate, all four certificates being of the formal character above mentioned.

The court records of Worcester County furnish the judgments in the confiscation suits against land in that county. Hampshire is the only other county in which Chandler owned real estate. Number 63 is a copy of the judgment in the suit instituted against the estate in that county. It will be remembered that the Worcester suits proceeded to judgment under services of the writs by leaving a copy at the last and usual place of abode, or by posting a notice on the premises, and that in consequence of the amendment to the Confiscation Act, passed while the suits were pending, both these methods of service were made illegal, and were cured by special legislation. The Hampshire suit was not begun until after the passage of this amendment, and the difficulties experienced in the Worcester cases were avoided. Some regard to the facts was had in this case, in the allegations in the declaration. It is there alleged that Chandler fled from Worcester October 1, 1774; Chandler says, in one of his memorials, that since September, 1774, he has not been able to procure any support from his estate. In another he says he fled from his home in November. In another he says that soon after the outbreak in Worcester in September, 1774, he found it necessary for his personal safety to fly for protection to Boston. It is quite likely that this event took place

about the time alleged in the declaration. The allegation as to his withdrawal from the province into parts and places under the authority or control of the king of Great Britain is to the effect that he went "to Halifax and to New York" March 30, 1776. In this suit Thaddeus Newton intervened, claiming to own lot number 9, but in the end Newton permitted the suit to go by default.

Copies of the writs of *habere facias possessionem* in the two suits in Worcester County were procured by Chandler and submitted to the commission. They are numbers 62 and 64. Each of these writs bears the return of the deputy sheriff that he has put Levi Lincoln, representing the commonwealth, in possession of the property.

For some reason or other, a search was made against Chandler's name in the registry of deeds of Hampshire County, both as grantor and as grantee. The returns by the register, accompanied by the certificate of the proprietors' clerk as to the lots originally assigned Chandler, furnished complete evidence as to the real estate owned by him in that county. These papers are numbers 76, 77, and 78. Evidence of the sale of Chandler's property by the committees appointed to sell the estates of absentees was furnished. These certificates are numbers 79, 82, 87, and 88. Letters from Chandler, urging action, asking what further proof was needed, and adding exhibits to the great mass of papers already in the hands of the commissioners, were forwarded October 11, 1785, November 10, 1785, February 28,

1786. These are numbered 80, 84, and 85. The pensions of the loyalists were subject to forfeiture if they left Great Britain for a protracted period. In 1786, Chandler obtained a permit for the continuance of his pension for the period of twelve months, during absence from Great Britain. He visited Halifax, where some of his family lived, and in May, 1787, submitted a memorial to the commission asking for an extension of the permit. This is number 90. While in Annapolis Royal, sundry papers connected with the claims against the estate were submitted to him. He replied giving such information as he possessed with regard to the several claims. This correspondence and the papers connected therewith are given in numbers 91, 92, 93, 94, and 95.

Volumes 81, 82, 83, loyalist series, Audit Office, contain a part of the papers connected with the report of John Anstey, who was sent by the commissioners "to America to collect the laws of the several states against loyalists, lists of the proscribed persons, sales, court proceedings, advertisements, and, in short, to get such official and other information as he could obtain that would be useful to the Commissioners in checking or weighing the individual claimant's evidence."¹

Numbers 97, 98, 99, and 100 are extracts from these books. The only point of interest connected with these is raised in the first of these extracts. Reference is there made to an act respecting John

¹ *Proc. Am. Ant. Soc. April, 1901*, p. 173.

Chandler, passed June 28, 1781. This is entitled "An Act for granting to Thaddeus Newton one hundred acres of land in the town of Murrayfield." The preamble recites that in 1773 Newton was entitled to a deed of one hundred acres of land in Murrayfield from Chandler, on certain conditions, which conditions he has fulfilled, but Chandler has not given a deed, therefore lot number 9 in the first division is granted to him.¹

The London transcripts conclude with number 101, which is an extract from volume 109, the Commissioners' Liquidation Book, giving an abstract of the facts connected with the case, showing the amount originally claimed, the sum allowed, the amount received, and other details. Doubtless Chandler was paid in compensation for his losses, in accordance with this report.

¹ *Laws and Res. of Mass. 1780-81*, ch. 1, 1781, p. 479.

APPENDIX

A.

CERTIFIED COPIES OF THE PAPERS ON FILE IN
THE PROBATE COURT OF WORCESTER COUNTY
IN THE COMMONWEALTH OF MASSACHUSETTS IN
THE CASE OF JOHN CHANDLER, AN ABSENTEE.¹

LIST OF PAPERS ON PROBATE FILES.

- No. 1. April 18, 1777. Complaint of Committee of Correspondence against John Chandler and others.
- No. 2. May 7, 1777. Bond of Joseph Allen, Agent, for £2000, Benjamin Conklin and Benjamin Greene, sureties.
- No. 3. May 7, 1777. Warrant appointing Samuel Curtis, Nathan Perry and Samuel Miller, appraisers.
Return of Appraisers, Jan. 1, 1779.
Jurat, January 2, 1778 [79?].
- No. 4. May 20, 1778. Warrant appointing John Cutting, David Scott and Enoch Shephard to appraise the estate in Hampshire County.
Certificate that John Kirkland took oath of office August 6, 1778.
Certificate of the oath of office administered to David Scott, Enoch Shephard September 22, 1778.
- No. 5. October 6, 1778. Warrant appointing David Wilder, Timothy Boutell and John Richardson to appraise estate in or near Leominster.
Jurat, Oath of Office, October 8, 1778.
Inventory and appraisal, October 8, 1778.

¹ Copied at Worcester, 1901.

- No. 6. October 6, 1778. Warrant appointing John Fry, Henry Bond and Pelatiah Metcalf to appraise estate in Royalston.
Jurat, October 23, 1778, Oath of Office.
- No. 7. November 20, 1778. Petition of Mary Chandler for the use of one third part of her husband's real estate.
- No. 8. November 28, 1778. Inventory and appraisal of the Royalston estate.
- No. 9. December 3, 1778. Inventory and appraisal of the Hampshire County estate.
Second appraisal by John Kirkland, December, 1778.
- No. 10. No date. Inventory of all the real estate.
- No. 11. January 9, 1779. Inventory of Personal Estate, April 7, 1777.
Inventory of Worcester real estate, January 9, 1779.
Jurat, Oath of Agent, March 17, 1779.
- No. 12. March 17, 1779. Petition of Mary Chandler for the use of one third part of her husband's real estate.
- No. 13. April 29, 1779. Agent's account current.
Jurat and Order of Court, May 4, 1779.
- No. 14. September 1, 1779. Warrant appointing Samuel Curtis, Nathan Perry and Samuel Brown to receive and examine claims.
Certificate to the oath of these officers that they acted faithfully, May 1782.
- No. 15. October 12, 1779. Warrant appointing Benjamin Flagg, Nathan Perry and Samuel Miller to set off dower for Mary Chandler.
Certificate dated December 6, 1779, that they swore that they had acted faithfully.
- No. 16. December 6, 1779. Report of Commissioners setting off dower and Consent of Mary Chandler and Agent Allen.
Decree of Probate Court, February 8, 1780.

- No. 17. May 2, 1780. Agent's Account current.
Order of allowance by Court.
- No. 18. December 25, 1781. Report of Commissioners appointed to examine claims.
Allowance of claims, January 1, 1782.
Order of Court, May 7, 1782.
- No. 19. May 20, 1782. Certificate of John Erving's claim.
- No. 20. May 20, 1782. Certificate of Edmond Herd's claim.
- No. 21. May 20, 1782. Bond of Indemnity, £2000, Benjamin Greene, Principal, David Sanderson and Samuel Chandler, Sureties.
- No. 22. January 10, 1783. Warrant re-appointing Samuel Curtis, Nathan Perry and Samuel Brown to examine claims.
- No. 23. February 6, 1783. Warrant appointing Samuel Salisbury, John Nazro and Elijah Dix to receive and examine claims.
- No. 24. February 20, 1783. Warrant appointing Daniel Waldo, John Nazro and Elijah Dix to examine claims.
Report, May 20, 1783.
Jurat, Oath that they had acted faithfully, June 3, 1783.
Certificate of approval, October 7, 1783.
Certificate that report forwarded to Governor and Council.
- No. 25. March 1, 1783. Bond of indemnity, £552, George Bethune, Principal, William Hunt and Levi Lincoln, sureties.
- No. 26. October 7, 1783. Order of Court allowing report of Commissioners re-appointed to examine claims.
- No. 27. February 3, 1784. Account of Agent to which is appended a certificate that the Agent personally appeared at that date and swore to its truth, followed by an order allowing account and discharging Agent, the whole unsigned.

- No. 28. April 14, 1785. Receipt for certificate of claim.
 No. 29. June 15, 1785. Certified copy of Resolve passed by General Court.
 No. 30. June 1, 1787. Warrant appointing Daniel Waldo, Elijah Dix and John Nazro to receive and examine the Maccarty claims.
 Jurat, Oath of Office, July 9, 1787.
 July 10, 1787, Report of Commissioners.

[Number 1.]

Worcester, April 18, 1777.

To the Honorable Levi Lincoln, Esqr., Judge of Probate for the County of Worcester.

The Committee of Correspondence, Inspection & Safety for this Town, woud inform your Honor, that Agreeable to a late act of the Great & General Court of this State, to prevent waste, Destruction, or embezzelment of the estates of those persons who have left them & fled to to the enemy and as by said act information must come to the Judge from the Selectmen or Committees of said Towns where said estates are — The Committee for this Town in conformity to said Act woud inform your Honor, that John Chandler, Esqr. has absented himself, leaving a wife & family, that James Putnam, Esqr. has absented himself, with his whole family excepting one negro man — That Rufus Chandler has absented himself with his wife leaving one child, — That Doctr. William Paine has absented himself & since sent for his wife leaving one child, — all which persons except Mrs. Paine have been absent more than three months & said Committee verily beleive have fled to the enemy. By order of the Committee of Correspondence &c for Worcester.

JOHN CUNNINGHAM, Chairman.

(*Endorsement on back*)

1.

Case 10938 Series A.

John Chandler

Complaint against John Chandler
et als as absentees.

By Com. of Correspondence &c.

April 18, 1777.

Copy.

Attest :

(signed) GEORGE H. HARLOW
Register

[Number 2.]

Know all men by these presents that we, Joseph Allen, Esqr. Benjamin Concklin, Clerk of Leicester & Benjamin Green of Worcester, Physician, all in the County of Worcester, within the State of the ^{of the} \wedge Massachusetts Bay in New England are holden and stand firmly bound and obliged unto Levi Lincoln, Esqr. Judge of the Probate of Wills & granting administrations within the County of Worcester and also for appointing Agents and granting letters of Agency on the estates of those who have gone over to the Enemy for protection, Agreeable to an Act of the great & General Court of this State passed the present year, in the full sum of two thousand pounds in lawful money of said State to be paid unto the said Levi Lincoln Esqr. his successors in the said office or assigns: To the true payment whereof, we do bind ourselves and each of us, our, and each of our heirs, executors and administrators jointly & severally for the whole and in the whole, firmly by these presents.

Sealed with our seals. Dated the seventh Day of May Anno Domini, one thousand seven hundred & Seventy-seven.

The condition of this present Obligation is such, that if the above bounden Joseph Allen who is appointed (and hath taken upon himself) the office of Agent on the estate of John Chandler, Esqr. who has left (and been absent from ——— more than three months) his usual place of abode and gone over to our enemies, do make, or cause to be made a true and perfect inventory of all and singular the goods, chattles, rights and credits of the said ——— ——— which have or shall come to the Hands possession or knowledge of him the said Agent or into the hands and possession of any other person or persons for him and the same so made do exhibit or cause to be exhibited into the Registry of the Court of Probate for the said County of Worcester at or before the seventh day of August next ensuing and the same goods, chattles, chattles, Rights and credits and all other the goods chattles, rights and credits of, or any way belonging to the said John Chandler, Esq., at the time of his absenting or since, or which at any time shall come to the hands & possession of the said agent, or into the hands & possession of any other person or persons for him, do well & truly account for & settle the same according to law and further do make or cause to be made a just and true Accompt of his said Agency upon oath at or before the seventh day of May, which will be in the year of our Lord one thousand seven hundred and seventy eight and so often as he shall be required thereto by the said Judge and all the rest & residue of the said goods, chattles, rights & credits, which shall be found remaining upon the said agents accompt (the same being first examined and allowed of by the Judge or Judges for the time being of Probate of wills and granting administrations & Agencies within the County of Worcester aforesaid) & he shall deliver and pay unto such person or persons respectively, as the said Judge or Judges by his or their decree or sentence pur-

suant to law shall limit and appoint, and shall in all respects faithfully discharge the office of an Agent of the sd. estate according to the true intent & meaning of the late Act of this State entitled an Act to prevent waste destruction and embezzlement of the estates of such persons as have gone over to our enemy. Then the before written Obligation to be void and of none effect, or else to abide and remain in full force and virtue.

JOS. ALLEN (seal)

BENJ. CONKLIN (seal)

BENJA. GREENE (seal)

Sealed & delivered in presence of us,

WM. G. MACCARTY.

DANIEL EVELETH.

(Endorsement on back)

2.

Case 10938 Series A.

John Chandler

Bond of

Joseph Allen, Agent

May 7, 1777

Copy.

Attest :

(signed) GEORGE H. HARLOW
Register.

[Number 3.]

State of the Massachusetts Bay.

Worcester, ss.

To Mess. Saml. Curtis, Esqr., Nathan Perry & Samuel Miller, Gentln. all of Worcester.

In the County aforesaid, Greeting. You are hereby appointed & impowered by virtue of a late law of this State to take an Inventory of and according to your best

skill & Judgement truly & justly on oath to apprise all the goods or estate which was left by or can be found belonging to John Chandler, Esqr. late of sd. Worcester who voluntarily went over to our enemies, and has been absent from his usual place of abode for the term of three months last past, and if the said absent person left a wife behind him or family, you are to apprise the bedding utensils & implements of household furniture every article separately by itself and if there are any in the family of the sd. John Chandler, Esqr. which he was obliged to support, who are not able to maintain themselves, you will return their names with their several inabilities and the support they stand in need of and you are to make return of this warrant with your doings thereon unto the Probate Office in the same County, as soon as conveniently may be.

Given under my hand & seal of Office this seventh day of May A. D. 1777.

LEVI LINCOLN, J. Prob.

Worcester, ss. To the Honble. the Judge of Probate for the County of Worcester.

By virtue of the within warrant we have apprized all the goods & estate belonging to the estate of John Chandler, Esqr. late of Worcester, absentee (which were shewn to us by the Agent for said estate) An Inventory of which, together with the value thereof, we herewith return.

Jany. 1st, 1779.

SAML. CURTIS

NATHAN PERRY Appraisers.

SAML. MILLER

Worcester, ss. Jany. 2d, 1778. Then personally appeared the within named Saml. Curtis, Nathan Perry & Saml. Miller and made solemn oath that in executing the

trust reposed in them they acted faithfully & impartially according to their best skill & judgment.

Coram, LEVI LINCOLN, J. Prob.

(*Endorsement on back*)

3.

Case 10938 Series A.

John Chandler

Warrant appointing Worcester

appraisers of real and

personal property

May 7, 1777

Report of Appraisers

Jany. 1, 1779-8 ?

Oath administered to appraisers

Jany. 2, 1778

Copy.

Attest :

(signed) GEORGE H. HARLOW

Register.

[Number 4.]

State of the Massachusetts Bay

Worcester, ss. To Messrs. John Cutting of Norwich, David Scott of Norwich & Enoch Shephard of Murrayfield, Esquires, all in the County of Hampshire & State of Massachusetts Bay in New England.

(seal)

You are hereby appointed & impowered by virtue of a late law of this State, on oath to take an Inventory of & (according to your best skill & judgment) truly & justly to apprise in lawful money of this State, all the goods or estate which was left by, or that can be found in the County of Hampshire belonging to John Chandler, Esqr. late of Worcester in the County of Worcester, who voluntarily went over to our enemies & has been absent from

his usual place of abode for the term of three months last past. And you are to make return of this warrant with your doings thereon into the probate office in the County of Worcester as soon as conveniently may be. Given under my hand & seal this twentieth day of May, A. D. 1778.

LEVI LINCOLN, J. Prob.

Hampshire ss. Personally appeared John Kirkland one of the appraisers of the estate of John Chandler, Esqr. an absentee & made oath that in appraising sd. estate he would act faithfully and impartially and according to his best skill and Judgment.

August 6th, 1778.

Coram, SAM'L MATHER, Judge Probate.

Hampshire, ss. Personally appeared David Scott & Enoch Shephard two of the appraisors of the estate of John Chandler, Esqr. an absentee & made oath that in appraising sd. estate they would act faithfully & impartially & according to their best skill and judgment.

Cor. B. MILLS, Just. Pacis.

Sept. 22, 1778.

(*Endorsement on back*)

4.

Case 10938 Series A.

John Chandler

Warrant appointing apprs.

of estate in Hampshire County.

May 20, 1778.

Oath administered to Kirkland

Aug. 6, 1778

Oath administered to Scott and

Shephard, Sept. 22, 1778

Copy.

Attest :

(signed) GEORGE H. HARLOW

Register.

[Number 5.]

State of the

Massachusetts Bay

Worcester, ss.

To David Wilder, Timothy Boutell & John Richardson
Gentlemen & all of Leominster, in said County, Greeting.

You are hereby appointed & impowered by virtue of a late law of this State on Oath to take an Inventory of and (according to your best skill & judgment) truly & justly to apprise in lawful money of this State all the good or estate lying in a gore of land, adjoining or near to Leominster aforesaid which was left by or that can be found belonging to John Chandler, Esqr. of Worcester who voluntarily went over to enemies and has been absent from his usual place of abode for the term of three month last past, and your are to make return of this warrant with your doing thereon unto the Probate Office in the same County as soon as conveniently may be. Given under my hand this sixth day of October A. D. 1778.

LEVI LINCOLN, J. Prob.

Worcester, ss. Octr. 8th, 1778. Personally appeared before me Messrs. David Wilder, Timothy Boutell & John Richardson & severally made oath that in apprizing such goods estate belonging to John Chandler, Esqr. late of Worcester, an absentee, as shall be shewn them by Joseph Allen, Agent to said estate, they will deal truly & justly & according to their best skill & judgment.

ISRAEL NICHOLS, Justice Peace.

An Inventory of a tract of land lying & being in a gore of land between the towns of Leominster & Westminster in the County of Worcester shewn to us this day by Joseph Allen Agent to the estate of John Chandler, Esqr. late of Worcester an absentee, as part of the estate of said Chandler, viz: —

The above described tract supposed to contain one thousand acres at 20s/ pr acre £1000
 Leominster, Octr. 8, 1778.

DAVID WILDER

TIMO. BOUTELL

JOHN RICHARDSON

Apprizers.

(*Endorsement on back*)

5.

Case 10938 Series A

John Chandler

Warrant appointing
 appraisers.

Land near Leominster

October 6, 1778

Oath administered

October 8, 1778

Return made Oct. 8, 1778.

Copy.

Attest :

(signed) GEORGE H. HARLOW

Register

[Number 6.]

State of the

Massachusetts Bay.

Worcester, ss.

To John Fry Esqr., Henry Bond & Pelatiah Metcalf
 yeomen all of Royalston in the County aforesaid,

Greeting.

You are hereby appointed and impowed by virtue of a late law of this State to take an inventory of and (according to your best skill and judgment) truly and justly to apprise (in lawful money of this State) all the goods or estate lying in Royalston aforesaid which was left, by, or that can be found belonging to John Chandler, late of Worcester, Esqr. who voluntarily went over to our enemies and has been absent from his usual place of abroad, for the term of three months last past, and you are to

make return of this warrant with your doings thereon, unto the Probate office, in the same County, as soon as conveniently may be.

Given under my hand, this sixth day of October A. D. 1778.

LEVI LINCOLN, J. Prob.

Worcester, ss. October ye 23d, 1778.

Then the within named John Esqr., Henry Bond & Pelatiah Metcalf personally appeared & made solemn oath to the faithfull discharge of the within trust. Before

ABEL WILDER, Justice peace

(Endorsement on back)

6.

Case 10938 Series A.

John Chandler.

Warrant appointing appraisers
of estate in Royalston.

October 6, 1778

Oath administered Oct. 23

Oct 23, 1778.

Copy.

Attest :

(signed) GEORGE H. HARLOW
Register.

[Number 7.]

To the Honble. Levi Lincoln, Esq. Judge of Probate for the County of Worcester.

Mary Chandler of Worcester in the County of Worcester, wife of John Chandler, late of Worcester, Esqr. an absentee. Requests that you would assign unto her one third part of the Improvement of her said husbands real estate dureing his absence, agreeable to an act of this State, made in the year of our Lord, 1777.

Intituled "An act to prevent the waste, destruction and Embezzlement of the goods or estates of such persons who have left the same, and fled to our enemies for protection and also for Payment of their just debts out of their estates".

Worcester, Nov. 20th, 1778.

MARY CHANDLER.

(Endorsement on back)

7.

Case 10938 Series A.

John Chandler.

Pet. for Assignment of one
third of the improvement
of her husband's real es-
tate. Mary Chandler
Nov. 20, 1778.

Copy.

Attest:

(signed) GEORGE H. HARLOW
Register.

[Number 8.]

In Obediance to the within Warrant we have apprized the land of John Chandler, Esqr. late of Worcester, absconded: lying in Royalston in the County of Worcester, viz.

Lot. No. 103 lying on the Legg north of Winchendon	200 acres	(£ 250 : 0 : 0
Lot No. 95 lying Ditto	200 acres	200 : 0 : 0
Lot No. 90	200 acres	200 : 0 : 0
Lot No. 52	200 acres	250 : 0 : 0
Lot No. 26	200 acres	200 : 0 : 0
Sum totle Lawfull money		1100 : 0 : 0

Royalston

Novr. 28, 1778

JOHN FRYE

HENRY BOND

PELATIAH METCALF

Committe

(Endorsement on back)

8.

Case 10938 Series A.

John Chandler.

Inventory by John Fry, et als.

Royalston

November 28, 1778.

Copy.

Attest :

(signed) GEORGE H. HARLOW
Register.

[Number 9.]

To the Honourable Levi Lincoln, Esqr. Judge of Probate for the County of Worcester.

Persuant to a Warrant of Apprizement directed to us the subscribers from your honour, we have proceeded to apprise the estate of John Chandler, Esqr. an absentee of the County of Worcester which lyeth in the County of Hampshire in the following manner, viz :

	£	S	D
Lot No. 14 House, Barn & Saw Mill & under improvement	500	0	0
Lot No. 13 Containing 100 acres at 12 pr acre	60	0	0
Lot No. 15 containing 100 acres Do	60	0	0
Lot No. 35 containing 100 acres at 13 ^s / pr acre	65	0	0
Lot No. 36 containing 100 acres at 13 ^s / pr acre	65	0	0
Lot No. 9 containing 100 acres at 16 ^s / pr acre	80	0	0
Lot No. 10 containing 100 acres at 17 ^s / pr acre	85	0	0
Lot No. 32 containing 100 acres at 15s pr. acre	75	0	0
Lot No. 28 containing 100 acres at 15s/ pr acre	75	0	0
Lot No. 29 containing 100 acres at 14 ^s / pr acre	70	0	0
Lot No. 59 containing 100 acres at 7 ^s / pr acre	35	0	0
Lot No. 39 containing 100 acres at 6 ^s / pr acre	30	0	0
Lot No. 56 containing 100 acres ^{at} 8 ^s / pr. acre	40	0	0
Lot No. 97 containing 100 acres at 11 ^s / pr acre	55	0	0

The above lots are in the first division

Lot No. 30 containing 200 acres at 7s/ pr acre	70 0 0
Lot No. 31 containing 200 acres at 8s/ pr acre	80 0 0
Lot No. 33 containing 200 acres at 7 ^s / pr acre	70 0 0
Lot No. 24, containing 200 acres at 9s/ per acre	90 0 0
Lot No. 25, containing 200 acres, one hundred acres under Bond for a deed at 10s/ pr acre given in May 1774	100 0 0
Lot No. 26 containing 200 acres at 8s/ pr acre	80 0 0
Lot No. 27 Containing 200 acres at 9s/ pr acre	90 0 0
Lot No. 1 containing 200 acres Bargained to Esqr. Kirkland for 12 s pr acre in 1774	120 0 0
Lot No. 71 Deed to & mortgaged by Isaac Wil- liams, Jr. at 7 s/ pr acre	70 0 0
Lot No. 64 containing 200 acres at 8s/ pr acre	80 0 0
The above lots are in the Second division	
Lot No. 6 containing 100 acres at 6/ pr acre	30 0 0
Lot No. 7 containing 100 acres at 8 ^s / pr acre	40 0 0
Lot No. 20 containing 95 acres at 7s pr acre	33 5 0
Intervail lots on the west Branch marked as fol- lows, viz	
O. 50 acres at 12s/ pr acre	30 0 0
P. 50 acres at 12s/ pr. acre	30 0 0
Q. 50 acres at 12s/ pr acre	30 0 0
Lot No. 46 omitted in the second Divn. 200 acres at 6s/ pr acre	60 0 0
Undivided lands by estimation 400 acres at 3s/ pr acres	60 0 0
Sum total, errors excepted	<u>£2458 5 0</u>
The Right in the Additional grant of 1200 hun- dred Acres	£ S D
Adjoining No. 5. containing 240 acres at 6s/ pr acre	72 0 0
Brought from the other page	<u>2458 5 0</u>
Sum total errors excepted	<u>£2530 5 0</u>

A true apprizement of all the estate that has come to our knowledge belonging to John Chandler, Esqr. and Absentee from Worcester which lyeth in the County of Hampshire

ENOCH SHEPARD

JOHN KIRKLAND Apprisors

DAVID SCOTT

N. B. Above apprizement was valued as land was estimated in the year 1774 & 1775.

Norwich Decmr. 3th, 1778.

The lands mentioned in this inventory were apprizd according to their value in the years 1774 & 1775 but this mode not being satisfactory to the Agent for the estate within mentioned, the appraisers now declare what they suppose the additional value of said lands is, at the present time, viz, December 1778.

Sum brought down		£2530	5	0
Additional value of lot No. 14		2000	0	0
First Division	{ Ditto of lot No. 15	150	0	0
	{ Ditto of Lot No. 9	290	0	0
	{ Ditto of lot No. 10	255	0	0
	{ Ditto of the remaining lots trebled	3470	10	0
		<hr/> £8695-15-0		

P. Order of the other Apprizers.

JOHN KIRKLAND

(*Endorsement on back*)

Case 10938 Series A 9.

John Chandler

Inventory by

Enoch Shephard, et als.

Hampshire Co.

Dec. 3, 1778.

Copy.

Attest:

(signed) GEORGE H. HARLOW
Register.

[Number 10.]

An Inventory of the real estate of John Chandler Esqr., late of Worcester an absentee as contained in several inventories taken by appraisers appointed for that purpose, viz :

Lands lying in Royalston in the County of Worcester

Lot No. 103 lying on the legg north of

Winchendon contang 200 acres	£250-0-0
Lot No. 95 lying Do. 200 acres	200-0-0
Lot No. 90 200 acres	200-0-0
Lot No. 52 200 acres	250-0-0
Lot No. 26 200 acres	200-0-0

£1100-0-0

Land lying in the County of Hampshire

Lot No. 14 house, barn and sawmill and under improvements

500-0-0

Lot No. 13 containing 100 acres @ 12/ per acre	60-0-0
Lot No. 15 Do 100 acre Do	60-0-0
Lot No. 85 Do 100 acre @ 13/ pr acre	65-0-0
Lot No. 86 Do 100 acres @ 3/ pr acre	65-0-0
Lot No. 9 Do 100 acres @ 16/ pr acre	80-0-0
Lot No. 10 Do 100 acres @ 7/ pr. acre	85-0-0
Lot No. 32 Do. 100 acres @ 15/ pr acre	75-0-0
Lot No. 28 Do. 100 acres a 15/ pr acre	75-0-0
Lot No. 29 Do 100 acres @ 14/ pr acre	70-0-0
Lot No. 59 Do 100 acres @ 7/ pr acre	35-0-0
Lot No. 39 Do 100 acres a 6/ pr acre	30-0-0
Lot No. 56 Do 100 acres @ 8/ pr acre	40-0-0
Lot No. 97 Do 100 acres a 11 pr acre	55-0-0

The above lots are in the first Division

Lot No. 30	con.	200 acres	a 7/ per acre	70-0-0
Lot No. 31	Do	200 acres	a 8/ pr acre	80-0-0

Lot No. 33	Do	200 acres @ 7/ pr acre	70-0-0
Lot No. 24	Do	200 acres @ 9/ pr acre	90-0-0
Lot No. 23	Do	200: 100 acres under bond for a deed @ 10/ pr acre given May 1774	100-0-0
Lot No. 26	Do	200 acres @ 8/ pr acre	80-0-0
Lot No. 27	Do	200 acres a 9/ pr acre	90-0-0
Lot No. 1	Do	200 acres bargained to Esqr. Kirkland @ 12/ pr acre in 1774	120-0-0
Lot No. 71	deeded to & mortgaged by Isaac Williams, Jr. at 7/ pr acre		70-0-0
Lot No. 64	cong.	200 acres @ 8/ pr acre	80-0-0

The above lots are in the second division

Lot No. 6	cong.	100 acres @ 6/ pr acre	£30-0-0
Lot No. 7	Do	100 acres @ 8/ pr acre	40-0-0
Lot No. 20	Do	95 acres @ 7/ pr acre	33-5-0

Intervail lots on the west branch marked as
follow viz

O	50 acres @ 12/ pr acre	£30-0-0
P	50 acres @ 12/ pr acre	30-0-0
Q	50 acres @ 12/ pr acre	30-0-0
Lot No. 46	omitted in 2d division @ 6/	60-0-0
Undivided lands by estimation	400 acres	60-0-0
		£2458-5-0

£2458-5-0

The right in the Additional Grant of 1200

acres Adjog No. 5, cong. 240 a @ 6/ pr acre

72-0-0

£72-0-0

£2530-5-0

The lands in the County of Hampshire were appraised according to their value in the year 1774 but this mode not being satisfactory to the Agent for the estate within

mentioned the appraisers now declare what they suppose the additional value of sd. land is at the present time, viz. Decer. 1778.

	Additional value of lot No. 14		2000-0-0
First	Do	of lot No. 15	150-0-0
Division	Do	of lot No. 9	290-0-0
	Do	of lot No. 10	255-0-0
	Do of the remaining lots trebled		3470-10-0
			<hr/> £8695-15-0

Land lying & being in a gore of land between the towns of Leominster & Westminster containing 1000 acres @ 20/ per

£1000-0-0

Improved Farms	The Mill farm so called	4000-0-0
	The farm which Thos. Jones lives on	3500-0-0
	The farm which Gates & Stearns lives on	5500-0-0
	The home Lot & buildings	2500-0-0
	The Cedar Swamp near J. Trobredges	80-0-0
	The Pasture near Cat. Mowers	260-0-0
	Do near Capt. Johnsons	500-0-0
	The farm where Mr. Cunningham lives	6500-0-0
	4 pews in the Meeting house	200-0-0
	A farm in Charlton	2000-0-0
		<hr/> 27040

(Endorsement on back)

10.

Case 10938 Series A.

John Chandler

Inventory of real estate made up from appraisers' return

Copy.

Attest :

(signed) GEORGE H. HARLOW
Register

[Number 11.]

An Inventory of the personal estate belonging to John Chandler, Esqr., late of Worcester, shewn to us by the Agent for said estate, which^{we} have apprizd at the sums following.

Room 1 1-8 day clock at 40—1 Table		
1-4/	£41-	4
8 Leather Bottomd chairs @ 2 8/ 1	£	
looking glass £8/	10-	8
1 round table at 1-4/ Round about	£	
chair 6/	1-	10
1 fire shovle & tongue at 6/, 1 pr. iron		
dogs 12/	18	
12 ching platis at £6/ 5 Delf Do at 15/	6-	15
4 glass Decanters at 16/ 2 Bowls @ 3/		
6 pictures at 1-4/	2-	3
(vinegar cruets, Beacar glasses wine		
glasses and salts at £1)	1-	0
9 silver teaspoons £1-16/ 1 small map 6/	2-	2 £66- 0
Room 2d, 1 Bed, beding and curtngs at		
£11-10	11-	10
1 sacking Bedstead @ 18/	18	
1 small bed, bedding & Bedstead at 6	6	
1 Desk at 3/ 1 desk at 12/ 1 small	£	
table @ £1	16	
1 chamber table at 6/ 1 small chest 5/	11	
6 flagg Bottomd. chairs at £1-16/	1-	16
1 small looking glass 10/ 2 quarto		
bibles 2	2-	10
Between 60 & 70 volums of Octave duo-		
disimo and Quarto @	£40-	0 79- 5

Room 3d. 1 bed with Harriteene curtains & furniture	15	
1 Bed, bedstead, covered and Blanket at	10	
1 case of draws at £15, one easy chair @ £8	23	
6 Harriteene Bottomd. chairs at £9	9	
1 looking glass £20, 1 chamber table £5	25	
1 homespun carpet at 15/	-15	£82-15
<hr/>		
Room 4. 1 Bed, Bedstead and calico cuttings & other furniture at	12	
1 case of draws at [£] 3, 1 toilet table at 18/	3-18	
1 chamber table at [£] 3/ 1 looking glass [£] 6	9	
6 cain chairs at £3-12/ 1 trunk 2/	3-14	
1 Pr. window curtains at 6/ 1 broken china bowl 6/	12	29- 4
<hr/>		
Room 5th. 2 common Beds, bedsteads and bedding, under beds &c @ £4 each	8-	
1 old leather trunk & 1 old chest at 6/ each	-12	
2 old flagg bottomd. chairs at 4/	- 4	8-16
<hr/>		
Room 6. 1 Bed, Bedding & bedstead @	1-10	1-10
Room 7th. 1 Bed, Bedstead & Bedding at £5	5-	
2 old chairs @ 12/ 1 writing desk at 12/	1- 4	6- 4
<hr/>		
Room 8th. 1 Bed, Bedding & Bedstead £6	6	
1 old chair 2/	- 2	6- 2
<hr/>		
Room 9. 1 Bed, bedding &c. [£] 5/ 1 bed, bedding [£] 4/	9	
2 chairs at 2/ 1 Dutch glass 6/	- 8	9- 8
<hr/>		

Room 10th. 1 Bed, bedding &c at £6/		
1 small looking glass 12/	6-12	
1 case of draws @ £4 10/ 3 chairs @ 12/	5- 2	
1 chamber table @ 8/ 7 pictures in the stair case 12/	1	
1 glass lanthorn 20/ 2 pictures @ 6/	1- 6	
1 Round about chair @ 12/ 1 Green couch @ 48/	3	£17- 0
<hr/>		
Room 11th. 2 Bellmettle skellets at 48/ 1 iron skillet 6/	2-14	
3 brass skimmers @ 6/ 1 brass cullender 3/	- 9	
3 Brass skillets 10/ 2 toasting irons 18/ 1 flesh fork 2/	1-10	
1 Iron chaffing dish 2/8 1 brass Do 1/4	4	
1 pr. brass chafing dishes 10/ 1 pr. brass candle sticks 30/	2-	
1 pr. smaller candlesticks 12/ 1 pr. small dito at 10/	1- 2	
7 Iron candlesticks 21/ 1 warming pan 18/ 1 bellows 6/	3- 5	
1 jack weights & line @ 3. 1 iron grate 6/	3- 6	
1 pr Andirons 20/ 1 pr. Tongs & fire shovel 12/	1-12	
4 oval earthan dishes 12/ 2 doz. best peuter plates 7-4	7-16	
2 doz. other peuter plates 3-12/ 1 copper coffee pot 12/	4- 4	
1 brass coffee pot 10/ 1 tin ditto 2/	12	
1 copper tea kittle 12/ 12 peuter dishes @ £4	4-12	
5 iron pots 1 at 12/ 1 @ 9/ 3 at 5/ each	1-16	

1 iron kettle @ 8/ 1 copper baking pan @ 24/	1-12
3 flat irons @ 8/ 1 Gridiron & frying pan	12
1 mortar @ 18/ 1 meal chest 1/ 2 But- ter-tubs 2/	1- 1
1 iron crain & 4 tramels @ 3/ 1 brass kittle 40/	5
1 brass kittle @ 48/ 1 Dio. at 40/	2- 8
1 old square table @ 18 1 old dito @ 6/ 1 Dito. @ 6/	1-10
1 Table a 3/	3 £47- 8

Room 12th. 1 large looking glass @ 20	20
8 leather bottomd. chairs £12/ 1 round about chair 8/	12- 8
1 square tee table £3/ 1 round ditto 8/ 4 tee pots 6/	3-14
2 large delph & 1 china bowl broken	1- 4
3 Vinegar Cruets & 2 beakors @ 10/	10
1 japand salver @ 12/ 2 cream collard pudding dishes	17
4 earthen dishes @ 24/ 1 china Beaker 6/	1-10
2 large Dining tables £6/ 1 pr. brass topt andirons 48/	8- 8
2 pictures 20/ 1 coarse flore carpet @ 10/	1-10
1 Glass tumbler @ 4	4 £50- 5

Stock and out dore moovables.

6 dozn. glass bottles @ £3 12/ 1 Riding shaye & harness	23-12
1 hay hook 3/ 3 haye forks @ 6/ 3 Draft chains @ 24/ each	4- 1

1 small chain @ 6/	2 shad shovels @	
8-5 old hoes @ 8		1- 2
1 dung fork @ 6/	2 iron crow bars	
[£] @ 4-16		5- 2
1 riding slaye a 24/	1 horse @ 16	17- 4
2 Bettle rings @ 6/	3 old siekels @ 4	
1 old axe @ 6/		16
1 sigth snath and tackling @ 6/		6 52- 3
<hr/>		
1 cowe a £14/	1 cow @ £10	1 Dito
[£] @ 12 dito £11/		47- 0
1 Dito @ 12£	12 sheep 40/ each	36
6 old table cloths 36/ ^s	12 old napkins	
@ 12/		2- 8
4 old meet tubs 32/	1 Winrowing mill	
£6/		7-12
2 draft chains @ 48/ ^s	1 Ox yoak staple	
& ring @ 12/		3
1 old spade @ 3/	1 iron harrow @	
£6/		6- 3
1 old cart with ye irons belonging thereto		
@ £8/		8-
1 plow & irons £3	1 iron crow bar 48/	
1 cheese press 18/		6- 6 £116- 9
<hr/>		
Done at Worcester April ye 7,		
1777 Total		£572- 9

Real estate

The mill farm so called @	£4000
The farm which Phinehas Jones lives on @	3500
The farm which Jona. Gates & Charles Stearnes lives on @	5500
The house lot near the meeting house with the Buildings standing thereon at	2500

The cedar swamp near James Trowbridges @	80
The pasture lying near Capt. Saml. Mowers @	260
The pasture lying near Capt. Micah Johnsons	500
The Farm where Mr. ^{John} Cunningham dwells with the buildings belonging thereto @	6500
Four pews in the meeting house @	200
	<hr/>
	£23615- 9- 0

Worcester Jan'y. 9th, 1779.

SAML. CURTIS
NATHAN PERRY Apprisers.
SAML. MILLER

Memo. 2/3d. of a farm in Charlton estimated at two thousand pounds making in the whole twenty-five thousand six hundred & fifteen pounds nine shillns.

(On back)

Case .

Worcester, ss. March 17th 1779. personally appeared Joseph Allen, Agent on the estate of John Chandler, Esqr., late of Worcester as absentee & made solemn oath that the foregoing together with the three accompanying inventory herewith exhibited contains a just & perfect inventory of all the estate of the said absentee except the rents of the real estate & the proceeds of the sale of the stock so far as has come to his the sd Agents Knowledge & that if anything further should come to his knowledge he would cause the same to be added.

Coram

LEVI LINCOLN, J. Prob.

(Endorsed on back)

11.

Case 10938 Series A.

John Chandler

Inventory real and personal,

Worcester, by

Samuel Curtis et als.

Personal, April 7, 1777

Real, January 9th, 1779

Oath of Agent

March 17, 1779.

Copy.

Attest :

(signed) GEORGE H HARLOW
Register.

[Number 12.]

To the Hon. Levi Lincoln, Esqr. Judge of the Probate of wills, &c. in and for the County of Worcester,
Whereas the subscriber has heretofore requested your honor to assign to her the use & improvement of one third of the real estate of her husband John Chandler, Esqr. late of Worcester, absentee, lying & being within this State according to a law of said State made & passed A. D. 1777, And whereas no such assignment has as yet been made, she again desires & requests that such assignment may be made agreeable to said law & that she may be put in possession of one third part of said estate, to have & improve the same by virtue of such assignment for her own benefit & use. The anxiety & solicitude attending the long suspense she has been in relative to the premises are very dissagreeable to her, for which as well as other reasons, she is moved to make this request, which, if granted, will be of essential service to her, as a permanent security of the support of herself & her orphan family.

MARY CHANDLER.

Worcester, March 17th, 1779.

(Endorsement on back)

12.

Case 10938 Series A.

John Chandler

2nd Pet. for Assignment of
the use and improvement
of one-third the real estate &c.
March 17, 1779.

Copy.

Attest :

(signed) GEORGE H. HARLOW
Register.

[Number 13.]

Worcester, April 29th, 1779. The Accompt of Joseph Allen, Agent on the estate of John Chandler, Esqr. late of Worcester, an absentee, so far as relates to the leasing out said absentees real estate for the current year (excepting what has been allowed by the Honble. Judge of Probate to the wife & family of said absentee) in pursuance of a late resolve of the General Court for that purpose.

The said Accomptant chargeth himself with the amount of the sums at which said real estate, lying in the Counties of Worcester & Hampshire, was leased, being 1801-16-0

And prays allowance as follows :—

For expences at the house where the	
estate was leased	£ 2
drawing & executing 28 leases	28
7 days time & expences including the	
charge of sending a person to the	
County of Hampshire to lease part	
of said real estate lying there in-	
cluding the travelling said estate	
into proper divisions and viewing	

the situation thereof at the time of	
giving the leases	39
Cash pd. the vendue Mst. for his	
trouble	9
	<hr/>
	£78

Also for cash pd. for notifying the	
time & place of said sale in the	
Worcester & two of the Boston	
news papers	8- 2
	<hr/>

£86- 2

£1715-14-0

Errors excepted.

JOS. ALLEN, Agent on estate.

Worcester, ss. May 4th, 1779. Then personally appeared the above named Joseph Allen, Agent as abovesd. and made solemn oath to the truth of the foregoing account.

I allow thereof by which it appears he has a ballance in his hands of the sum of seventeen hundred and fifteen pounds fourteen shillings which I order him to pay unto the treasurer of this State agreeable to a resolve of the great and General Court of the seventeenth of Feby. Annoque Domini 1779. In testimony whereof I have hereunto set my hand this 4th day of May A. D. 1779.

LEVI LINCOLN, J. Prob.

(*Endorsement on back*)

13.

Case 10938 Series A.

John Chandler

Acct. Current of Joseph Allen.

April 29, 1779

Sworn to May 4, 1779

Order of Court May 4, 1779

Copy.

Attest:

(signed) GEORGE H. HARLOW
Register.

[Number 14.]

Worcester, ss. State of Massachusetts Bay in New
(seal) England.

By the Honble Levi Lincoln, Esqr., Judge of the Probate of Wills & for granting letters of admr. & letters of Agency on the estates of such persons absentees who have left this State & fled to our enemies for protection since the 19th day of April A. D. 1775 leaving estate to the value of twenty pounds & for appointing comissioners to receive & examine the claims on such absentees estate, within sd. County.

To Samuel Curtis, Esqr., Nathan Perry and Samuel Brown, Gentlemen all of Worcester in the County & State aforesaid

Greeting.

You are hereby nominated & appointed according to a law of this State, comissioners with full power & authority to receive & examine all claims & how they are made out of the several creditors to the estate of John Chandler, late of Worcester in said County, Esquire an absentee, who left this State & fled to our enemies for protection as aforesaid, and to the end said creditors may bring in their claims, you are to cause the times & places of your meeting to attend them by receiving & examining their claims to be made known & published by posting up the same in some public places in the shire town of the County aforesd. & by advertising the same in the Independent Chronocle printed by William Boston & in the News paper printed in Worcester, and you are to make report & to present a true list to me the said Judge upon oath of all such claims as to you upon examination appears justly due & owing

from said Absentee at or before the first day of September A. D. 1780 & afterwards to present a list as aforesaid from time to time as the said Judge may require until the final settlement of said estate when you are to make return of this Comission with all your doings thereon not before returned and all agreeable to the direction of law. In testimony whereof I have hereunto set my hand & the seal of said Court of Probate. Dated at Worcester this first day of September A. D. 1779 & in the fourth year of American Independence.

LEVI LINCOLN, J. Prob.

Worcester, ss. May 1782. Personally appeared Samll. Curtiss Esq., Nathan Perry & Saml. Brown the within named Commissioners and made solemn oath that in executing the trust reposed in them by virtue of this Commission, they acted faithfully and impartially according to the best of their skill and judgement.

Coram,

JOSEPH WHEELER, J. Pacis.

By order of the Hon. Judge.

(Endorsement on back)

14.

Case 10938 Series A.

John Chandler

Warrant appointing commrs. to
examine claims.

September 1, 1779.

Oath administered May 1782.

Copy.

Attest :

(signed) GEORGE H. HARLOW
Register.

[Number 15.]

Worcester, ss. State of Massachusetts Bay in New
(seal) England By the Honble. Levi Lincoln, Esqr.
Judge of the Probate of Wills &c. in & for the County of
Worcester.

To Benjamin Flagg, Esqr. Nathan Perry, Gentman, and
Samuel Miller, yeoman all of Worcester in sd. County,
Greeting.

Pursuant to the Acts & laws of said State relating to
the estates of certain persons commonly called absentees
& the power & authority to me therein given, I do hereby
authorize & appoint you the above-named three persons a
committee on oath, to appraise all the real estate whereof
John Chandler late of Worcester in said County, Esqr,
an absentee was seized & possessed since the nineteenth
day of April A. D. 1775 at the present true value thereof
in lawful money.

When you have perfected your inventory you are to set
off to Mary Chandler (the said absentee's wife) one third
part of the said real estate, so as may be convenient for
her, for her dower therein during her life & continuance
within the United States of America & what you so set
off you are to describe by plain & lasting meets and
bounds that so confusion may be prevented upon the
reversion of the dower.

When you go about your work let the Agent & all parties
concerned have notice; & if all said parties are satisfied
with your proceedings let them signify the same by coun-
tersigning.

Finally seal up this comission with your doings thereon &
return the same with all convenient speed into the Regis-
ters office of Probate by some or one of yourselves.

Goven under my hand & seal of office at Worcester this twelveth day of October A. D. 1779 & in the fourth year of American Independence.

LEVI LINCOLN, J. Prob.

Worcester, ss. Decr. 6th 1779. Then personally appeared the within named Benja. Flagg, Nathan Perry and Samuel Miller and made solemn oath that in executing the trust reposed in them by the within warrant, that they acted faithfully and impartially according to their best skill & judgement.

Coram, LEVI LINCOLN, J. Prob.

(*Endorsement on back*)

15.

Case 10938 Series A.

John Chandler

Warrant appointing Commrs. to appraise & set off 1/3 to wife.

October 12, 1779.

Oath administered Dec. 6, 1779.

Copy.

Attest:

(signed) GEORGE H. HARLOW
Register.

[Number 16.]

We the subscribers, authorized & appointed by the Hon. Levi Lincoln, Esqr. Judge of Probates for the County of Worcester to appraise all the real estate whereof John Chandler late of Worcester in said County, Esqr. an absentee was seized & possessed since the nineteenth day of April, A. D. 1775, and to sett off to Mary Chandler, the said absentees wife, one third part of said real estate, so as may be convenient for her, for her dower therein during her life continuance within the United States of

America, have, on the day of the date hereof proceeded on said business, & have accordingly appraised said real estate as followeth, viz : —

	£	
The Homestead, whereon the said Mary Chandler now dwells, with the buildings thereon at	5000	
The farm commonly called the Mill farm, now occupied by Josiah Gates, with the buildings thereon together with the Mill & Mill spot	12000	
A pasture near Capt. Micah Johnson's	1200	
A pasture near Capt. Moore's	800	
The farm occupied by Cha. Stearns & Jona. Gates with the buildings thereon	15000	
A cedar swamp lying near the road leading from Worcester Meeting house to Oxford	120	
The farm whereon Rufus Chandler lately dwelt situated near the prison together with the buildings thereon	17700	
A wood lot adjoining land of Charles Adams & Mill stone hill, so called containing by estimation 17 acres	255	
The above described lands & buildings are situated in Worcester aforesaid		
Also a farm lying partly in Worcester & partly in Leicester now occupied by Amos Putnam together with the buildings thereon at	10000	
Two thirds of a farm lying partly in Charlton & partly in Oxford with two thirds of the buildings thereon	3000	
4 pews in the Meeting house in Worcester		
1 at	£120	
1	100	
1	90	
1	90	400

The following lots of land lying in Royalston viz,

No. 103	£290	
95	230	
90	230	
52	290	
26	230	1270

A tract of land lying & being between the Towns of Leominster & Westminster supposed to con- tain one thousand acres	1000
--	------

Total	£76515
--------------	---------------

We then sett off to the wife of the said Absentee out of
said real estate as her third part of the same,

The Homestead whereon she now dwells ap- praised at	£5000
--	-------

The pasture by Capt. M. Johnson's at	1200
--------------------------------------	------

The pasture by Capt. Moore's	800
------------------------------	-----

The farm near the prison whereon Rufus Chandler lately dwelt with the buildings thereon	17700
--	-------

The wood lot adjoining land of Charles Adams & Mill Stone hill (so called)	255
---	-----

A pew in the meeting house between those of T. Paine Esqr. & Capt. Saml. Moore	100
---	-----

A piece of land situated on a road leading from
the Meeting house to Paxton, by estimation ten
acres & bounded as follows, beginning at the
corner of the wall on the southerly side of said
road which is a line between land lately be-
longing to said John Chandler, Esqr. & land of
Wm. Jennison Stearns, beginning at the above
mentioned road running southerly sixty rods
on the division line between said Chandler's &
said Stearns land to a stake & stones, from
thence turning & running eastwardly twenty

seven rods to a stake & stones, from thence turning & running northwardly sixty rods to a stake & stones from thence turning & running on said road twenty seven rods to the first mentioned bounds which we

appraise at 450

Making in the whole

£25505

The lands & buildings set off as above all lie in the town of Worcester.

All which so set off we judge equal to one third part of the value of said Absentee's real estate.

Dated at Worcester this sixth day of December, A. D. 1779.

BENJA. FLAGG

NATHAN PERRY Committee

SAMLL. MILLER

We consent

MARY CHANDLER

JOS. ALLEN, Agent on the Estate of John Chandler, Esq. an Absentee.

Worcester

Worcester, ss.

(seal)

To all people to whom these presents shall come Levi Lincoln, Esq. Judge of the Probate of Wills and granting administrations as also letters of Agency on the estates of absentees &c., for the County of Worcester, in the State of the Massachusetts Bay, in New England, sendeth Greeting.

Whereas the commissioners by me appointed & sworn for the appraisal of all the real estate whereof John Chandler, late of Worcester in the County of Worcester, Esq, ^{an absentee} _^ was seized and possessed since the nineteenth day of

April in the year of our Lord seventeen hundred & seventy-five: As also for the setting off to the use and improvement of Mary Chandler, wife of the said absentee one third of the said real estate, have made the foregoing return into the Registry of Probate for the said County, by which it appears that the whole of the said estate is valued & appraised at the sum of seventy six thousand, five hundred & fifteen pounds, and the one third of the said estate as particularly set forth, at the sum of twenty five thousand, five hundred & five pounds: Know ye, that pursuant to the acts & laws of the said State relating to the settlement of the estates of intestates & the estates of persons commonly called absentees, & the direction, power & authority to me therein given, I do hereby accept of the doings of the said Commissioners, as contained in the return aforesaid, by them subscribed, and order the same to be recorded, and do assign & sett off to the use & improvement of the said Mary Chandler the said absentee's wife, every & all those pieces, parts or parcels of land and farms with all the buildings tenements, privileges & appurtenances thereon, or thereunto anyways belonging or appertaining mentioned in the said return as sett off to the said Mary as her third of the said estate, to have & to hold the hereby set off & assigned premises with all the members, privileges & appurtenances thereof unto her the before named Mary for & during the term of her natural life & continuance within any of the United States of America.

In testimony whereof, I have hereunto set my hand & caused the seal of Office to be affixed this eighth day of February, in the year of our Lord seventeen hundred & eighty.

LEVI LINCOLN, J. Prob.

(Endorsement on back)

16.

Case 10938 Series A.

John Chandler

Report of Commrs. to set off

 $\frac{1}{3}$ part of real estate

December 6, 1779

Decree of Court sustaining

action of appraisers

February 8, 1780

Copy.

Attest :

(signed) GEORGE H. HARLOW

Register

[Number 17.]

The account of Jos. Allen, Agent on the estate of John Chandler, late of Worcester, Esqr. an absentee, so far as relates to the said Agent's leasing out said absentees real estate, lying in the County of Worcester, for the current year.

The sd. Accomptant chargeth himself with	
the amount of what said real estate leased	£
for the present year being	4083- 4- 0

And prays allowance as follows, viz	
for advertising said estate for	
sale in the Worcester & two	
of the Boston papers	£13-10- 0

For cash pd. Mr. Bridge Ven-	
due master	11

Expences at the house where sd.	
estate was leased	3 1

Drawg. & executing 16 leases	
at £3	48

4 days time & expences in ad-	
-------------------------------	--

vertising the sale in different towns, attending the vendue & viewing the situation of the premises & receiving monies,	60	
Fees at the probate office for framing, examining, allowing & recordg. this account & for 2 copies of the same	18	
		<hr/> £ 153-11
Remains		<hr/> £3929-13

Worcester, ss. May 2d, 1780. Then personally appeared Joseph Allen, Agent as abovesaid & made solemn oath to the truth of the foregoing account & produced vouchers for the payments therein contained. I allow thereof by which it appears he has a ballance in his hands of the rents of the said Absentee's estate to the amount of £3929-13 which I order him to pay unto the Treasurer of this State agreeable to a resolve of the great & General court for that purpose.

LEVI LINCOLN, J. Prob.

(*Endorsement on back*)

17.

Case 10938 Series A.

John Chandler

Acct. current of Joseph Allen,
Agent.

Sworn to May 2, 1780.

Copy.

Attest :

(Signed) GEORGE H. HARLOW
Register.

[Number 18.]

Worcester, Decemr. 25th, 1781.

We the subscribers appointed by the Honorable the Judge of Probates for the County of Worcester to receive & examine the claims of the several creditors upon the estate of John Chandler, Esqr., late of Worcester in the County aforesaid an absentee, have attended said service and find there is due to the following persons the sums expressed Against their respective names (viz)

No. 1.	To Jonathan Gates, Jnr. Worcester on account	£5-12- 0
2.	To Nathaniel Heywood, Shrewsbury on acct.	3-11- 0
3	To John Fisk, Worcester, on note	14- 3- 0
4	To Philip Donehue, Worcester on account	0-16- 0
5	To William Trowbridge, Worcester on Acct.	1-14- 2
6	To Edmond Herd, Lancaster, on acct.	1- 5- 8
7	To James Lloyd, Boston, on Acct.	1- 3- 0
8	To Benja. Green & Sons, Boston on Acct. Against John and Clark Chandler, Being the one half of the Acct.	576-14
9	To Rufus Green, Benjamin Green executor Boston estate on bonds being the one half of the bonds due from John & Clark Chan- dler, compt.	392-6-10 ² /
10	To Thomas Fayerweather, Esqr. Cambridge, exectr. to Mary Hub- bard on Bond	135- 5-

11 To George Bethone, little Cambridge on bond	276- 0
12 To Daniel Baneroft, Salem on Acct.	14-18-11
13 To Benjamin Green & Sons, Boston Note & Acct.	422-19- 2
14 To Robert Smith, Murryfield, on acct.	30-00
15 To Mary Chandler, Worcester on acct	103- 9- 4
	<hr/>
	£1979-18- 1½
Charge on Commrs.	5 1 0

Interest computed on Bonds notes &c.

Jany. 1, 1782.

The above sums are allowed by us the subscribers.

SAML. CURTIS

NATHAN PERRY Commissioners.

SAML. BROWN.

To receiving, examining, allowing & recording the return of the Commissioners, swearing the sd. commissioners and Certificate of claims to the Governor 0-10-0

Worcester, May 7th, 1782. The Honorable Levi Lincoln, Esq. Judge of the Probate of Wills &c. in and for the County of Worcester, hereby accepts of and allows the foregoing report of the Commissioners by him appointed to receive and examine the claims of the creditors to the estate of John Chandler, Esq. late of Worcester, an absentee, by which it appears the whole amount of the claims exhibited against said estate as allowed by the said Commissioners is the sum of £1979-18-1-2, together with the sum of £5-1-0 due to the said commissioners for their service and the sum of ten shillings due to the

probate office for examining, accepting & recording the return of the commissioners, swearing the commissioners &c and mailing a certificate of the claims to the Governor.

LEVI LINCOLN, J. Prob.

(*Endorsement on back*)

18.

Case 10938 Series A.

John Chandler.

Report of Saml. Curtis, et als,
commrs. to examine claims.

Dec. 25, 1781

and

Jan. 1, 1782

Decree May 7, 1782

Copy.

Attest :

(signed) GEORGE H. HARLOW,
Register.

[Number 19.]

Commonwealth of Massachusetts.

Worcester, ss .

May 20th, 1782.

These are to Certify all whom it may concern, That in Pursuance of the Laws of this Commonwealth, Commissioners have been duly appointed by the Judge of Probate, &c. for the said County of Worcester, with full Powers to receive and examine the Claims on the estate of the Honorable John Chandler Esq. late of Worcester, in said County, an absentee, and to report thereon, and that said Commissioners have agreeable to the law made their report to the said Judge of Probate, on oath, by which it appears that the sum of eight hundred and thirty pounds, three shillings & six pence $\frac{2}{4}$ lawful money of this Common-

wealth, at the rate of silver at Six shillings and eight Pence per Ounce, is the whole amount of all the claims exhibited against the estate of the said absentee and that the sum of Three hundred & thirty five pounds 6/ 1- $\frac{1}{2}$ Lawful money, in gold and silver, is due from said estate to The Honorable John Erving, Esq. of Boston, one of the afore-said Claimants.

LEVI LINCOLN, Judge of Probate.

(*Endorsement on back*)

19.

Case 10938 Series A.

John Chandler

Cert. of claim of John Erving.

May 20, 1782

Copy.

Attest:

(signed) GEORGE H. HARLOW

Register.

[Number 20.]

Commonwealth of Massachusetts.

Worcester, ss.

May 20th, 1782.

These are to Certify all whom it may concern, That in Pursuance of the Laws of this Commonwealth, Commissioners have been duly appointed by the Judge of Probate, &c for the said County of Worcester, with full Powers to receive and examine the claims on the estate of The Honorable John Chandler, Esq. late of Worcester in said County an absentee, and to report thereon, and that said commissioners have agreeable to the law made their report to the said Judge of Probate, on oath, by which it appears that the sum of one thousand nine hundred & seventy nine pounds 18/ 1- $\frac{1}{2}$ lawful money of this Common-

wealth, at the rate of Silver at Six shillings and eight pence per ounce, is the whole amount of all claims exhibited against the estate of the said Absentee and that the sum of one pound five shillings & eight pence lawful money, in gold and silver, is due from said estate to Edmond Herd of Lancaster one of the aforesaid Claimants.

LEVI LINCOLN, Judge of Probate.

(*Endorsement on back*)

20.

Case 10938 Series A.

John Chandler.

Cert. of claim of

Edmond Herd

May 20, 1782.

Copy.

Attest:

(signed) GEORGE H HARLOW
Register

[Number 21.]

Know all men by these presents, That we, Benjamin Greene of Boston, in the County of Suffolk, Merchant, David Sanderson of Petersham, Gentlemen & Samuel Chandler of Worcester trador, both in the County of Worcester & Commonwealth of Massachusetts are holden and stand firmly bound and obliged unto Levi Lincoln of Worcester in the County of Worcester, Esq; and Judge of Probate of Wills, and for granting letters of administration for the said County of Worcester and to his successors in the said office, in the full and just sum of two thousand pounds lawful silver or gold money, of the Commonwealth of Massachusetts, to be paid unto the said Levi Lincoln or his successors in the said Office; to which payment well and truly to be made, we bind ourselves,

our heirs, executors and administrators, firmly by these presents.

Sealed with our seals; dated the twentieth day of May Anno Domini one thousand seven hundred and eighty-two.

The condition of this present Obligation is such, that Whereas, John Fessenden, Caleb Ammidown and Jonathan Warner a committee appointed by the General Court of the Commonwealth of Massachusetts, to make sale of the real estates of Conspirators and absentees, in the County of Worcester for the purpose of paying the debts of such persons agreeable to a law of this Commonwealth intituled, "An act to provide for the payment of Debts due from the Conspirators and absentees, and for the recovery of debts due to them," have this day, in pursuance of the said law, and of an Act made in Addition to the same, paid to Benjamin Green of Boston in the County of Suffolk, Merchant, the sum of nine hundred and twenty pounds silver money being part of his debt and claim, duly allowed against the estate of John Chandler, Esqr. late of Worcester in the County of Worcester. The said Committee having sold the real estate of the said John Chandler, Esqr. according to the said law;

Now, if there shall appear further just claims and debts against the estate of the said John Chandler so as to cause the same to be rendered insolvent, and the said Benjamin Green, David Sanderson, & Samuel Chandler, their heirs, executors, or administrators, or any of them, shall pay back the rateable proportion of the said nine hundred & twenty pounds of such further claim or debt, paid as aforesaid, to the said Levi Lincoln or his successors in said office, so that all the creditors may receive in proportion to their just demands, without fraud or delay, then this

obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed, and delivered in

presence of

DANL. KEYES

BENJA. GREENE

(seal)

JOSEPH WASHBURN.

DAVID SANDERSON, Jr.

(seal)

SAML. CHANDLER

(seal)

(Endorsement on back)

21.

Case 10938 Series A.

John Chandler.

Bond of Indemnity of

Benjamin Greene et als

May 20, 1782.

Copy.

Attest:

(signed) GEORGE H HARLOW

Register.

[Number 22.]

Worcester, ss.

Commonwealth of Massachusetts

By the Honble Joseph Dorr, Esqr. Judge of the Probate
of wills, and for granting letters of administra-
(seal) tion and letters of Agency on the estates of
absentees &c.

To Samuel Curtis, Esqr., Nathan Perrey, and Samuel
Brown, Gent. all of Worcester in the Commonwealth
aforesaid, Greeting.

Whereas you were appointed by the Honbl Levi Lin-
coln Esq. late Judge of Probate for said County to
receive and examine the claims of the creditors on the
estate of John Chandler, Esqr. late of Worcester, an
absentee, and have made your report, but whereas it has
been made to appear that there are further claims upon

the estate of the said John which have not been exhibited, you are therefore, agreeable to a resolve of the great and General Court of the Commonwealth aforesaid, Dated March 7th, 1782, re-appointed commissioners with full power and authority to receive and examine all claims and how they are made out of the several creditors to the estate of the aforesaid John Chandler which have not allready been examined. You are to cause the times and places of your meeting to attend them for receiving and examining their claims to be made known and published by posting up the same in some publick places in the shire town of the County aforesaid, and by advertising the same in the Independence Chronicle printed by Willis in Boston and in the Newspapers printed in Worcester, and you are to make report & to present a true list to me, the said Judge upon oath of all such claims as to you upon examination appears justly due and owing from said absentee at or before the tenth Day of April A. D. 1783, When you are to make return of this commission with all your doings thereon and all according to the directions of the law.

In testimony whereof I have hereunto set my hand and seal of office dated at Worcester the tenth day of January A. D. 1783, and in the seventh year of American Independence.

JOSEPH DORR, J. Prob.

(Endorsement on back)

22.

Case 10938 Series A.

John Chandler

Re-appointment of Samuel Curtis

et als, commrs. to examine claims

not previously allowed.

Jan. 10, 1783.

Copy.

Attest :

(signed) GEORGE H. HARLOW
Register

[Number 23.]

Worcester, ss.

Commonwealth of Massachusetts.

(seal)

By the Honble. Joseph Dorr, Esqr. Judge of the Probate of wills, & for granting letters of administration and letters of agency on the estates of absentees &c.

To Samuel Salisbury & John Nazro, merchants and Elijah Dix, Physician, all of Worcester in the County & Commonwealth aforesaid, Greeting.

You are hereby nominated and appointed according to a late law of this Commonwealth, commissioners with full power & authority to receive and examine all claims, that have not been examined & allowed by the former commissioners and how they are made out, of the several creditors to the estate of John Chandler, late of Worcester in said County, Esqr. an absentee who left this Commonwealth and fled to our enemies for protection, since the 19th day of April A. D. 1775, and to the end that said creditors may bring in their claims, you are to cause the times and places of your meeting to attend them for receiving and examining their claims to be made known and published by posting up the same in some publick places in the shire town of the County aforesaid. And by advertising the same in the Independant Chronicle printed by Willis in Boston and in the News papers printed in Worcester.

And you are to make report and to present a true list to me the said Judge (upon oath, of all such claims as to

you, upon examination, appears justly due and owing from said absentee that have not been examined as aforesaid, at or before the sixth day of May A. D. 1783, When you are to make return of this commission, with all your doings thereon. And all agreeable to the Directions of the law.

In testimony whereof I have hereunto set my hand and seal of the said Court of Probate, Dated at Worcester this sixth day of February A. D. 1783 and in the seventh year of American Independance.

JAS. DORR, J. Prob.

(*Endorsement on back*)

23.

Case 10938 Series A.

John Chandler

Warrant appointing commrs.

to examine claims.

Feb. 6, 1783.

Copy.

Attest :

(signed) GEORGE H. HARLOW

Register.

[Number 24.]

Worcester, ss.

Commonwealth of Massachusetts

By the Honbl. Joseph Dorr, Esqr. Judge of the
(seal) Probate of Wills and for granting letters of administration, and letters of Agency on the estates of absentees &c.

To Daniel Waldo & John Nazro, Merchants, and Elijah Dix Physician, all of Worcester, in the County and Commonwealth aforesaid,

Greeting.

You are hereby nominated and appointed according to a

late law of this Commonwealth commissioners with full power and authority to receive and examine all claims that have not been examined & allowed by the former commissioners, and how they are made out, of the several creditors to the estate of the Honbl. John Chandler, late of Worcester in said County, Esq, an absentee, who left this Commonwealth and fled to our enemies for protection since the nineteenth day of April A. D. 1775, and to the end that said creditors may bring in their claims, you are to cause the times and places of your meeting to attend them, for receiving and examining their claims to be made known and published by posting up the same in some publick places in the shire town of the County aforesaid, and by advertising the same in the Independent Chronicle, printed by Willis in Boston and in the Newspapers printed in Worcester, and you are to make report, & to present a true list to me, the said Judge upon oath, of all such claims as to you upon examination, appears justly due and owing, from said absentee (that have not been examined or approved) at or before the 20th day of May A. D. 1783 when you are to make return of this commission with all your doings thereon. And all agreeable to the directions of the law.

In testamony whereof I have hereunto set my hand and seal of the said Court of Probate. Dated at Worcester the 20th day of February A. D. 1783. And in the seventh year of American Independance.

JOS. DORR, J. Prob.

Worcester 20 May 1783.

In pursuance of the within commission to us directed we have examined the following claims on the estate of John Chandler, Esqr. an absentee and find due to the several persons, undermentioned, the followg. sum, viz: —

1783 May 6 Benjamin Greene £240-11- 9

Do Martha Greene principal
& interest up to April
6, 1782 591

Do Sarah Greene, principal
& Ints. up to March
26, 1781 42- 2- 6

Do Gardiner Williams prin-
cipal & interest up to
1 May 1783 47-15

Do Charles & Saml. Chan-
dler, principl. & in-
terest up to May 1783
with interest till paid 125- 3- 2 £1046-12- 5

Advertising expences 1-14- 0

Attendance 3-12- 0 5- 6- 0

1051-18- 5

DANL. WALDO.

JNO. NAZRO. Commisons.

ELIJAH DIX.

Worcester, ss. June 3d, 1783. Personally appeared
the within named commissioners and made solemn oath
that in executing the trust reposed in them by virtue of
this Commission, they acted faithfully and impartially
according to their best skill and judgment.

Coram JOSEPH WHEELER, J. Pacis.

By order of the Hon. Judge.

(Endorsement on back)

24.

Case 10938 Series A.

John Chandler

Warrant appointing commrs.

Feb. 20, 1783

Return of Commrs. May 20, 1783

Oath administered June 3, 1783

Oct. 7, 1783

Worcester, ss. Octr. 7th, 1783.

Examined & accepted.

Jos Dorr, J. Prob.

This report has been certified to
the Governor in Council.

Pr. Jos. Dorr, J. Prob.

Copy.

Attest :

(signed) GEORGE H. HARLOW

Register.

[Number 25.]

Know all men by these presents, that we, George Bethune of Cambridge in the County of Middlesex, Esq. & William Hunt of Watertown in the same County, Esqr. and Levi Lincoln of Worcester, Esqr are holden and stand firmly bound and obliged unto Joseph Dorr, of Mendon in the County of Worcester, Esq; and Judge of Probate of Wills, and for granting letters of administration for the said County of Worcester and to his successors in the said office, in the full and just sum of five hundred and fifty-two pounds, lawful silver or Gold money, of the Commonwealth of Massachusetts, to be paid unto the said Joseph Dorr, or his successors in the said office; to which payment well and truly to be made, we bind ourselves, our heirs, executors and administrators, firmly by these presents.

Sealed with our seals; dated the first day of March, Anno Domini, one thousand seven hundred and eighty-three.

The condition of this present Obligation is such, that whereas, John Fessenden of Rutland and Jonathan Warner of Hardwick, Esquires and Caleb Amidon of Charlton,

yeomen all in the County of Worcester, a Committee appointed by the General Court of the Commonwealth of Massachusetts, to make sale of the real estates of conspirators and absentees, in the County of Worcester for the purpose of paying the debts of such persons, agreeable to a law of this Commonwealth, intituled, "An act to provide for the payment of debts, due from the conspirators and absentees, and for the recovery of Debts due to them," have this day, in pursuance of the said law, and of an Act made in addition to the same paid to the sd. George Bethune the sum of two hundred & seventy-five pounds being his the sd. George Bethunes debt and claim, duly allowed against the estate of John Chandler, Esq. late of Worcester in the County of Worcester an absentee. The said Committee having sold the real estate of the said John Chandler according to the said law:

Now, if there shall appear further just claims and Debts against the estate of the said John Chandler so as to cause the same to be rendered insolvent, and the said George Bethune & William Hunt & Levi Lincoln their heirs, executors, or administrators, or any of them, shall pay back the rateable proportion of the said two hundred & seventy-six pounds of such further claim or debt paid as aforesaid, to the said Joseph Dorr or his successors in said office, so that all the creditors may receive in proportion to their just demands, without Fraud or delay, then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and delivered

in presence of

SETH HASTINGS

MARY ANN JONES

ELIJAH DEMOND

to

GEO. BETHUNE (seal)

WILLIAM HUNT (seal)

LEVI LINCOLN (seal)

Test.

(*Endorsement on back*)

25.

Case 10938 Series A.

John Chandler.

Bond of Indemnity of

George Bethume et als.

March 1, 1783.

Copy.

Attest :

(signed) GEORGE H. HARLOW
Register.

[Number 26.]

Worcester, ss. October 7th, 1783. The Honorable Joseph Dorr, Esqr., Judge of the Probate of Wills &c. in and for the County of Worcester hereby accepts & allows the foregoing report of the commissioners reappointed to receive and examine the claims of the creditors on the estate of the Hon. John Chandler, late of Worcester in said County, an absentee, not heretofore examined and allowed by which it appears that the amount of the claims exhibited against said estate as allowed by said commissioners is the sum of £1046-12-5 which in addition to the claims heretofore allowed is the whole of the claims exhibited against said estate, together with £5-6-0 due to said Commissioners for their service in advertising attendance, &c.

And the sum of 12/ for making out the commission examining accepting and recording this report and making a certificate of the claims to his Excellency, the Governor.

JOSEPH DORR, J. Prob.

By order of the Hon. Judge

JOSEPH WHEELER,
Regr.

(Endorsement on back)

26.

Case 10938 Series A.

John Chandler

Decree allowing report of

Saml. Curtis et als, commrs.

Oct. 7th 1783.

Copy.

Attest :

(signed) GEORGE H. HARLOW

Register.

[Number 27.]

Worcester, ss.

The acct. of Joseph Allen, Agent on the estate of John Chandler, Esqr. an absentee.

1777 The said accomptants chargeth himself as follows,
viz :

June	To cash recd. for the sale of a number of cattle at Vendue	£195- 9- 6
	To cash recd. of the Comtee. of Corre- spondce. &c of the Town of Worces- ter	86-14- 3

1778. To Sundry obligations by
the Comtee. aforesd. &
which have been paid to

Febry. said agent viz :—

1	against Charles Stearns & Jona. Gates for	£20- 0- 0
1	against the same persons for	57
1	against Phineas Jones for	13- 6- 8
1	against do for	25

	1 against John Cunning-		
	ham for	11-	8
	1 against do for	54-	13
	1 against Josiah Gates		
	for	50	231- 7- 8
Decr.	To cash recd of the Com ^r of Murray-		
	field for monies in their hands be-		
	longing to sd. estate	53-	8- 8
	To cash recd. of the Comt. for a pew		
	leased by them to Capt. Stanton	1-	4
1779	To do recd. for lease of 3 pews com-		
	mencing April 1778 ending April		
	1779	11-	5
	To do recd. of Phs. Jones for lease of		
	farm commencing April 1778 &		
	ending in April 1779	40-	0
	To do recd. of Charles Stearns & Jona.		
	Gates for lease of farm commencing		
	& endg. as before	120	
	To do recd. of Josiah Gates for lease of		
	a farm commencing & ending as		
	before	41	
	To do recd. of John Cunningham for		
	lease of the house &c. which he oc-		
	cupied com. & endg. as before	40	
	To do recd. of Benja. Rich for lease of		
	part of a farm in Charlton, com-		
	mencing & endg. as before	14	
		<hr/>	
		£834-	9- 1
And	prays allowance as follows, viz,		
	For counterfeit Hampshire		
	bill recd. of the commit-		
	tee of Worcester	£5-	0- 0
	For time, expences & trou-		

ble in venduing cattle,
advertisements. receiving
monies & paying the
same again 5 pr. cent 41-10- 0

1777

June	For one journey from Leicester to Worcester to take letters of agency	0-10
1	For cash paid at the probate office	10
2	For cash paid William Taylor for rates	10- 2- 5
	For Journey to Worcester, procuring cattle from sundry places & assistance in driving them	18
3	For cash paid Phinehas Jones, keepg. cattle	3- 8- 2
4.	For do pd. Chs. Stearns & Jona. Gates, ditto	2
	For do paid Mr. Baldwin for searching records & making extracts of the purchases & sales of real estate by said Chandler	8
	For cash pd. Selectmen of Worcester for Appraising the value of rents in 1778, by order of the Genl. Court	6- 0- 0
	For cash pd. the Comtee. of Correspee. of Worcester for their trouble in managing the estate before the appointment of an Agent	16- 0- 0

5.	For cash paid Wm. Moor, constable of Murrayfd. for taxes	26- 2- 8
6	pd. Phinehas Jones	3- 8- 2
7	paid Obadiah Newton	20
8	Paid Zebulon Rose Con- stable of Norwich, for taxes	3-15
9	Paid Thaddeus Newton	44-16- 4
10	Paid Henry Bond, Con- stable of Royalston for taxes	2- 8
11	Paid Thos. Stearns, Con- stable of Leominster for do	2- 7- 2
12	Paid Wm. Forbes, Con- stable of Norwich for do	0-12- 9
13	Paid Wm. Pyncheon, Esqr.	12
14	Paid Aaron Bascom for Constable of Murray- field, for taxes	41-12- 2
15.	Paid Phinehas Jones	1-10- 0
16	Paid John Fry & others appraisers at Royalston	6- 4- 0
1779		
17	Paid Saml. Curtis & others appraisers	9
18	Paid Ebenezer Wiswall	3
19	Paid John Kirkland, Esq. & others appraisers in the County of Hamp- shire	47
	8 days time & expences & horse hire in May 1778 on journey to Murray-	

field & Norwich in the County of Hampshire, at £4 pr. day	32
3 days time & expences attending appraisers in Worcester, £4 pr. day, expences of appraisers £4	16
4 days time & expences at- tending appraisers at Royalston, in Decr. 1778 at £6	24
2 days time & expences at- tendg. appraisers at Roy- alston Octo. 1778 at £5	10
Expences of appraisers at Royalston	1
20 Hampshire money &c which I now have	5-16
A journey to Roxbury & attending upon the Gen- eral Court in April 1778 for orders respecting the leasing of absentees es- tates 6 days at 4 pr. day including expences 1/2 is	12
Attending on the selectmen of Worcester & shewing the estates to be ap- praised according to or- der of the Genl. Court, 1 day & expences £4 1/2 is	2

409- 2-10
£425- 6- 3

Balance being £425 on May 3d, 1779	
is in silvir	£34-13- 3
The said accomptant charges himself	
with balance brought up (in silver)	£34-13- 3

Also with the following obligations	
&c now in his possession	
viz: — against Ephraim Curtis for rent	
of a shop in Worcester for the years	
1776, 1777, & 1778	4- 2- 4
Against Levi Lincoln Esqr. for rent	
of an office for the same years	10-19
Against Nahum Willard for rent of a	
pew in 1776	1- 0
Reed. of John Kirkland, Esq. 55 old	
currency, June 27, 1780	16
Reed. by do of the Committee in Mur-	
rayfield for rent June 27, 1780	15- 3
Reed. of Paul Gates rent for 1781	
leased by auction by order of Com-	
tee. of Genl. Court on forfeited es-	
tates	25-

Daniel Bigelow's Bond for rent due in 1777	18
	<hr/> £95- 5-10

And further prays allowance as fol-
lows; — viz,

For my trouble & expences	
in settling receiving &	
paying the sum of	
£56-10-3 venduing &c	2-16- 3
For what was due from	
Ephrm. Curtis he hav-	
ing died & left no es-	
tate	4- 2- 4

21	For monies pd. at the pro- bate office May, 1779 £6-2-6 old currency	0 9 8
22	Paid Amos Putnam £28-17 O. Currency	0 14 3
24	Paid Stearns & Gates £90, O. currency	2 10
25	Paid the Comrs. who set off Mrs. Chandlers 3d ^s	3 11 4
	Paid the Comrs. expences while on sd. business	16
	My own time & expences while on said business, 7 days & my horse part of said time at 15/	5 5
	One journey to Leominster of myself in June 1781 respecting trespasses said to be committed on said Chandler's land there, 2 days & horse & expences	1 10
	Attce. at the probate office for settlemt. of this ac- count	0 4 0
	To 3 warts. of apprise- ment	6 6
	Carried over	£21 15 8
	Debt. Brot. forward	£95- 5-10
	Credit Brot. do	£21-15- 8
	To swearing the appraisers	0 1 0
	To examining, swearing to & recording the inven- tory	0 18
	To copying the Inventory	0 12

To Warrant to set off the wives 3ds	3	
To swearing the commis- sioners	1	
To examing, allowing, copying and recording the return of the com- missioners to set off the wives third	11	0
To Commission to examine the claims of the credit- ors	2	0
To swearing the commis- sioners	1	
To appointing an Atty. to Defend said estate	3	
To making allowance to the wife out of the personal estate copying & record- ing the same	7	
To receiving examining and recording the report of the commissioners for examg. claim & making report thereof to his ex- cellency the Govenor	9	0
To do upon the second commr.	13	6
To framing examg. copying & recording this account conres. the agent &c.	13	0
	<hr/>	
Balance due	£26-10- 2	
	£68-15- 8	

N. B. The one half of the personal estate contained in an inventory exhibited into the probate was delivered to

the wife of said Absentee by order of the Judge of Probate & the remainder was recd. by the Committee of Confiscation for the County of Worcester.

Worcester, ss. February 3d, 1874 Personally appeared Joseph Allen, Esq. Agent as above and made solemn oath to the truth of the foregoing account & produced vouchers for the payments therein contained. I allow thereof, by which it appears he has a balance in his hands the sum of £68-15-8 which sum I have recd. of the said Agent in full, and he is thereupon discharged.

(Endorsement on back)

27.

Case 10938 Series A.

John Chandler

Final account of Joseph Allen,

Agent

Feby. 3, 1784.

Copy.

Attest:

(signed) GEORGE H. HARLOW

Register

[Number 28.]

Worcester, Apl. 14th, 1785.

Recvd. of Joseph Wheeler, Esqr. Reg. of Probate for the County of Worcester, a certificate of the claim upon the estate of Jno. Chandler, Esq. absentee in favour of Thos. Fayweather, Esq. of Cambridge.

PR. DAVID SANDERSON, JUNR.

(Endorsement on back)

28.

Case 10938 Series A.

John Chandler

Receipt for Cert. of claim of

Thomas Fayweather.

Apr. 14, 1785.

Copy.

Attest :

(signed) GEORGE H. HARLOW
Register.

[Number 29.]

Commonwealth of Massachusetts.

In Senate June 15th, 1785.

On the petition of Thadeus & William McCarty.

Resolved that the prayer of their petition be so far granted as that the Judge of Probate for the County of Worcester be & he hereby is authorized & empowered to appoint commissioners to examine the claim of the said Thadeus & William Maccarty against the estate of John Chandler late of Worcester, absentee ; & in case the said claim shall be allowed by the said commissioners & approved of by the said judge, the same shall be paid out of that part of the said Chandler's estate that was set off for his wife's dower after the expiration of two years from the eleventh day of February 1785 that being the term for which the children of the said John Chandler are entitled to the income & improvement of the said estate by an order of the General Court of the 11th of February last.

Sent down for Concurrence,

SAML. PHILLIPS ye. Presidt.

In the House of Representatives 15th June, 1785.

Read & Concurred.

Approved

NATHL. GORHAM Spkr.

JAMES BOWDOIM.

A true copy, Attest.

JOHN AVERY JUNR. Secretary.

(*Endorsement on back*)

29.

Case 10938 Series A.

John Chandler

Certified copy of resolve of

Legislature authorizing

Judge of probate to appoint

commrs. to examine claim of

Thaddeus & William Maccarty.

June 15, 1785.

Copy.

Attest :

(signed) GEORGE H HARLOW

Register.

[Number 30.]

Worcester, ss.

(seal)

Commonwealth of Massachusetts

To Mr. Daniel Waldo Mercht. Elijah Dix, physician
& John Nazro Mercht. all of Worcester in said County,

Greeting.

Pursuant to a resolve of the great and general Court of
the Commonwealth of Massachusetts, Dated June 15th,
1785.

You are hereby appointed to be commissioners, on
oath, to receive and examine the claim of Doctr. Thaddeus
Maccarty & Mr. William Maccarty, executors on the last
will and testament of the Revd. Thaddeus Maccarty late
of Worcester in said County, deceased, against the estate
of the Honble. John Chandler, Esqr. late of sd. Worcester
an absentee. you are to give notice to the said Thads. &
William of the time & place of your meeting to attend
them for that purpose.

And you are to make return of this warrant with your doings thereon unto the Registers office of Probate in the same County as soon as conveniently may be.

Given under my hand & seal of office this 1st day of June A. D. 1787.

JOS. DORR, J Prob.

Worcester, ss. July 9th, 1787. Messueurs David Waldo, Elijah Dix & John Nazro within named personally appeared & severally made oath, that in receiving & examining the within mentioned claim, they will act faithfully & impartially according to their best skill & judgment.

Before me,

JOS. ALLEN, Jus. Pacis.

Worcester, ss. July 10th 1787. By virtue of the within warrant we the subscribers, have examined the claim of Doctr. Thads. & William Maccarty, Exors. to the estate of the Revd. Thads. Maccarty, and it appears to us that the estate of the within mentioned John Chandler is indebted to said estate twenty three pounds, thirteen shillings & eight pence, viz for sd. Chandlers note

not on Interest	£20- 9- 8 ¹ / ₄
For copy of Court resolve	3
For commrs. warrant	3
For their journey to Boston	
& attendg. Court	2
Cost for the Commissioners	18
	<hr/>
	£23-13- 8 ¹ / ₄

DANL. WALDO.

JOHN NAZRO.

ELIJAH DIX.

(Endorsement on back)

30.

Case 10938 Series A.

John Chandler

Warrant appointing commrs. to
examine Maccarty claim.

June 1, 1787.

Oath administered July 9, 1787

Return of Commrs. July 10, 1787.

Copy

Attest :

(signed) GEORGE H. HARLOW
Register.

B.

A CERTIFIED TRANSCRIPT OF THE RECORDS OF THE CASES OF THE STATE VS. CHANDLER UNDER THE CONFISCATION ACT IN 1780 BROUGHT IN THE INFERIOUR COURT OF COMMON PLEAS.

[Number 31.]

The Commonwealth of Massachusetts.

Worcester, ss.

At an Inferiour Court of Common Pleas begun and held at Worcester within and for the County of Worcester, on the second Tuesday of December, being the twelfth day of said month, Annoque Domini One thousand seven hundred and eighty, by Adjournment from the first Tuesday of the same December, by a Resolve of the Great and General Court.

Present,

The Honble. Moses Gill, Esq ;	} Justices of said County.
The Honble. Joseph Dorr, Esq ;	
and Joseph Wheeler, Esq. (special)	

State vs. Chandler.

Levi Lincoln of Worcester, in the County of Worcester, Esqr., Attorney for the late Government & people of the State of the Massachusetts Bay, in New England, now Commonwealth of Massachusetts, specially appointed for this purpose by Robert Treat Paine, Esqr. their Attorney General in their behalf, comes into Court further to prosecute his Complaint against John Chandler, late of said Worcester, Esqu.

In that the said John Chandler, since the nineteenth day of April, in the year of our Lord Seventeen hundred & seventy five, viz. on the first day of April, A. D. One thousand seven hundred & seventy nine, at London, in the Kingdom of Great Britain, levied War, & conspired to levy War, against the Government & people of this Province, Colony & State, & of the United States; and did then & there adhere to the King of Great Britain & to his fleets & armies, enemies of this said Province, Colony & State, & of the United States, & then & there did give them aid & comfort. And that the said John Chandler before the said nineteenth day of April viz. on the said first day of January, in the year of our Lord Seventeen hundred & seventy five, & after the arrival of Thomas Gage Esqr. late Commander in Chief of all his Britannic Majesty's forces in North America, at Boston, the metropolis of this State, did withdraw from Worcester aforesaid, his usual place of Habitation within this State, into the said Town of Boston with an intention to seek & obtain the protection of the said Thomas Gage, & of the said forces then & there being under his Command. And that the said John Chandler, since the said nineteenth day of April, viz., on the first day of March in the year of our Lord Seventeen hundred & seventy nine, did withdraw without the permission of the Legislative or Executive Authority, of this or any other of the said United States, to the Kingdom of Great Britain then being under the acknowledged authority & dominion of the said King & that the said John Chandler since the said first day of January & the said first day of March hath not returned into any of the said United States & been received as a subject thereof. And that the said John Chandler, by reason of the premises, has freely renounced all civil & political relation to each & every of the said United States & is become an Alien. And that

the said John Chandler before the said nineteenth day of April, viz. on the said first day of January was seized & possessed, & now intitled to be seized & possessed, & to have, hold & demand to his own use a tract of land lying about three miles Southwestwardly from the meeting house in Royalston, containing by estimation two hundred acres, being Lot No. 26 and bounded Eastwardly on Lot No. 31, Southwardly partly on Lot No. 25, & partly on Lot No. 22, Westwardly on Lot No. 21, Northwardly partly on Lot No. 20, & partly on Lot No. 27. — Also another tract of land situate about two miles & half Southerly from the meeting-house in Royalston aforesaid, containing by estimation two hundred acres, being Lot No. 52, & bounded as follows, beginning at the North-west corner of the same by a stake & stones, & then running South on Thomas Fairweather's land to a stake & stones on Athol line, then East by Athol line to a stake & stones on land of the heirs of Nahum Greene, then North by said Greene's land to a stake & stones on Jonathan Sibley's land, then West by said Sibley's land to a stake of stones, then on said Sibley's land to a stake of stones on Ebenezer Elliot's land, then West by said Elliot's land to the bounds first mentioned. — Also another tract of land lying in the Northeastwardly part of said Royalston, about three miles & an half from the said meeting-house, containing by estimation two hundred acres, & being Lot No. 91, — bounded as follows, beginning at the North west corner of said tract at a stake & stones on the old Province line, then running South by Lot No. 89 & Lot No. 88 & Lot No. 87 to a stake & stones on land of Michael French, then turning & running by said French's land to a stake & stones, then turning & running North by land of Francis Chase & Jonas Thomson to the State line to a stake & stones, then Westwardly on the State line to the first mentioned bounds. —

Also another tract of land lying in the Northeast corner of said Royalston, containing by estimation two hundred acres, being Lot No. 95, & bounded as follows,— beginning at a stake & stones on the Northeast corner of Peirpoint's Farm, then running North on land of John Hancock Esq. to a stake & stones on the State line, then Westwardly, on the State line to a stake & stones to the corner of Lot No. 94, then running South by said Lot to a stake & stones on Peirpoint's farm, & then running East on said Farm to the first mentioned bounds.— Also another tract of land lying in a place called E. Royalston Leg. being Lot No. 103, situate North from Winchendon meeting house about three miles & an half, containing by estimation two hundred acres, & bounded as follows, viz., beginning at the Southwest corner at a stake & stones, then running East on Winchendon North line to a stake & stones, then turning & running North by Lot No. 104 to a stake & stones on the State line, then running West on the State line to a stake & stones, then turning & running South by Lot No. 102, to the first mentioned bounds.— Also one ninth part part of Lot No. 22, containing by estimation two hundred acres.— Also one ninth part of Lot No. 50, containing about ninety acres.— Also one ninth part of Lot No. 70, containing by estimation two hundred acres.— All the above said tracts or Lots of Land lying in Royalston, in the County afores'd. & bounded as above respectively described & as the same may be bounded, plotted & recorded in the Proprietors Book of Records in said Royalston, with all the privileges, appurtenances & Easements to the several tracts or Lots of land belonging to him & his heirs forever.—

Also that the said John Chandler, since the said nineteenth day of April, viz. on the said first day of March, & the said first day of April, was seized & possessed & was intitled to be seized & possessed & to have, hold &

demand to his own use, each & every of the above described tracts & Lots of land, with all the appurtenances, privileges & easements to the said several tracts or lots of land belonging to him & his heirs forever. — And the said Levi Lincoln further alledges that by force of the premises & of the law of this State intituled “An Act for confiscating the Estates of certain persons commonly called Absentees” the said several tracts & Lots of land with their appur’nces. ought to escheat, enure & accrue to the sole use, benefit & behoof of the Government & people afores’d: therefore praying the advice of the Court herein the premises, & that due process of law in this behalf may be made — as by said Complaint on file appears. —

Which Complaint was exhibited to the Justices of the Inferiour Court of Common Pleas, begun & held at Worcester, within & for the County of Worcester, on the first Tuesday of September, Anno Domini One thousand seven hundred & seventy nine; — Thereupon it was considered & ordered by the Court that the said Complaint be continued to the next Inferiour Court of Common Pleas, to have been holden at Worcester, within & for the County of Worcester, on the first Tuesday of December then next following, & which by Adjournment of the Great & General Court was held on the second Tuesday of the same December, & that the Clerk of this Court make out a notification thereof containing a description of the lands, tenements & hereditaments set forth in said Complaint, that all persons claiming sd. said Estate, or any part thereof, may then & there enter their said claim. At which last mentioned term Jonathan Rice, one of the Deputy Sheriffs within & for said County, made return of said Notification issued agreeably to the said Order in the words following, viz. — “Worcester ss. November 3d, 1779. In Obedience to the within Warrant to me directed,

there being no Mansion house on the above described demanded premises, I have posted up an attested Copy of the foregoing Notification in a publick place in the Town in which the above described premises lie,—and have also left an attested copy of said Notification at the last & usual place of abode within this State of the within named John Chandler as the Law directs—Jonathan Rice, Dep’y. Sheriff.”— And the said Levi Lincoln Esqr. appeared further to prosecute the said Complaint, & no person appearing to take upon him the Defence of this Suit, the same was further continued by order of Court to the Inferiour Court of Common Pleas, begun & held at Worcester, within & for the County of Worcester, on the last Tuesday of March last, at which last mentioned term the said Levi Lincoln Esqr. appeared further to prosecute the said Complaint, & John Sprague, Esqr. appeared to take upon him the Defence of this Suit, & thereupon the same was further continued by order of Court to the next Inferiour Court of Common Pleas, begun & held at Worcester, within & for said County, on the second Tuesday of June last, when and where the said Levi Lincoln, Esqr. appeared further to prosecute the said Complaint, & the said John Sprague, Esqr. to take upon him the Defence of the same. Thereupon the said Complaint was further continued by order of Court to the Inferiour Court of Common Pleas, begun & held at Worcester, within & for sd. County, on the first Tuesday of September last, when & where the said Levi Lincoln Esqr. appeared further to prosecute the said Complaint, & the said John Sprague Esqr. to defend the same. Thereupon the said Complaint was further continued by order of Court to the Court of Common Pleas to have been held at Worcester, within & for the County of Worcester on the first Tuesday of December instant & which by a resolve of the Great & General Court was adjourned to the present time. —

And now neither the said John Sprague Esqr. nor any other person appearing to take upon him the Defence of this Suit, Proclamation is made for any person or persons who have claim to the Estate in the said Complaint mentioned, described & demanded, either in their own right, on on the part & behalf of the said John Chandler, or of any person whomsoever, to come & defend this Suit, & no person appearing to take upon him the defence of this Suit: — It is by the Court therefore Considered that the said John Chandler is Guilty in manner & form as in the said Complaint is alledged against him, & that the lands, tenements & hereditaments described in the said Complaint, with the appurtenances, privileges & easements thereunto belonging are forfeited, & do escheat, enure & accrue to the sole use & benefit of the Commonwealth of Massachusetts; and that a writ of habere facias possessionem issue in behalf of the Commonwealth aforesaid to cause them to be seized & possessed of the same.

[Number 32.]

State vs. Chandler.

Levi Lincoln, of Worcester, in the County of Worcester, Esqr. Attorney for the late Government & People of the State of Massachusetts Bay, in New-England, now Commonwealth of Massachusetts, specially appointed for this purpose by Robert Treat Paine, Esqr., their Attorney-General in their behalf, comes into Court further to prosecute his Complaint against John Chandler, late of said Worcester, Esquire. —

For that the said John Chandler, since the nineteenth day of April in the year of our Lord Seventeen hundred & seventy five, viz. on the first day of April, in the year of our Lord Seventeen hundred & seventy nine, at Lon-

don, in the Kingdom of Great Britain, levied War & conspired to levy war against the Government & People of this Province, Colony & State, & against the other United States; and that the said John Chandler did then & there adhere to the King of Great Britain & to his fleets & armies, enemies of this Province, Colony & State, & of the United States, & did then & there give them aid & comfort. —

And that the said John Chandler, before the said nineteenth day of April, viz. on the first day of January, in the year of our Lord Seventeen hundred & seventy five & after the arrival of Thomas Gage, Esqr., late Commander in Chief of all his Britannic Majesty's forces in North America, at Boston, the Metropolis of this State, did withdraw from Worcester aforesaid, his usual place of habitation within this State, into the said Town of Boston with an Intention to seek & obtain the protection of the said Thomas Gage & of the said forces then & there being under his Command. And that the said John Chandler since the said nineteenth day of April, viz. on the first day of March, in in the year of our Lord Seventeen hundred & seventy nine, did withdraw, without the permission of the Legislative or Executive authority of this or any other of the said United States, into the Kingdom of Great Britain, then being under the acknowledged authority and dominion of the said King of Great Britain. And that the said John Chandler since the said first day of January & the said first day of March, hath not returned into any of the said United States & been received as a Subject. — And that the said John Chandler, by reason of the premises, hath freely renounced all civil & political relation to each & every of the said United States & is become an Alien. And that the said John Chandler, before the said nineteenth day of April, viz. on the said first day of December, was seized & possessed, & was entitled to be

seized & possessed & to have, hold & demand to his own use, benefit & behoof a tract of land situate about thirty rods Northeastwardly of the meeting house in Worcester, containing by estimation about one acre, more or less, & bounded as follows, viz. — Northwestery on the Country road, Southeastwardly on Ministerial land, Southwestery on the Town Common, or road leading from said meeting house to the Town of Grafton, together with one large upright dwelling-house, two barns, a Corn-barn, a large Store & a Tenement formerly improved as an Office, as also other out buildings standing on the same. — Also another tract of land situate about two miles from the meeting house aforesaid, South on the road leading from Worcester to the town of Sutton, containing about two hundred acres by estimation, more or less, commonly called or known by the name of the Mill Farm, & bounded Westwardly on said Road, Southwardly partly on Gardner Chandler's land, partly on Blackstone River, & partly on Nathan Perry's land, Eastwardly partly on said Perry's land & partly on Joshua Whitney's land, — as the wall now stands, until it comes to the land belonging to the heirs of Iyrus Rice, Northwardly partly on land belonging to the said Iyrus Rice, partly on Richard Pratt's land, partly on land belonging to the Estate of James Putnam, Esqr. an Absentee, & partly on the land belonging to Absalom Rice & Jonathan Rice, & partly on land of Jonathan Grout, until it comes to the road, consisting of mowing, tillage, pasturing, orcharding & wood land, with buildings thereon, consisting of one upright dwelling-house, & barn & other out buildings. — Also another tract of land situate about two miles South of the meeting-house, aforesaid, & situate on the Westerly side of said road leading from Worcester to Sutton, containing fifty eight by estimation, more or less, and bounded as follows ; Northwardly on land of Jonathan Grout, Southwardly &

Westwardly on land of Joshua Whitney & Gardner Chandler, Eastwardly on said Road leading to Sutton, together with two Grist Mills thereon standing. — Also tracts of woodland situate about two miles Northeasterly of the Court house, containing seventeen acres by estimation more or less, & bounded as follows — Eastwardly on land belonging to the Widow Holbrook, Southwardly on Charles Adam's land, Northwardly & Westwardly on the Town land upon Mill Stone Hill, so called. — Also a tract of land being a Cedar Swamp, situate about two miles & an half Southwestwardly from the Meeting-house aforesaid, containing by estimation ten acres more or less, & bounded as follows — Eastwardly, Southwardly & Westwardly on Noah Jones's land & Northwardly on William Mahon's land.

Also a tract of pasture land situate Northwestwardly from the Meeting house aforesaid, near to Capt. Miah Johnson's Dwelling house, containing by estimation about Sixty acres, & bounded Northwardly on said Johnson's land, — on Colo. Gardner Chandler's land, Westwardly & Southwardly on William Young's land & Eastwardly partly on said Young's land, partly on John Barnard's land & partly on Joshua Symond's land. — Also another tract of pasture land situate about three miles Northwestwardly from the Meeting house aforesaid, near to Capt. Samuel Mower's dwelling house, containing by estimation twenty five acres more or less, & bounded Eastwardly on said Mower's land, Southwardly on Amos Wheeler's land, Westwardly on David Mower's land, & Northwardly on John Mower's land. — Also another tract of land situate about Sixty rods Southwestwardly from the meeting house aforesaid, on the Country road leading to Leicester containing by estimation three hundred & ten acres more or less, & bounded as follows, viz. Southeastwardly on the said Country road, Southwest-

wardly on a road leading from the said Country road to Jacob Hemenway's dwelling house, commonly called Heminway's road, as far as beaver-brook, & then turning & running on Beaver Brook on said Heminway's land until it comes to Joseph Blair's land, & then running Eastwardly on said Blair's land, until it comes to Jennison Stearn's land, & running Eastwardly on said Sterne's land until it comes to a corner in said Sterne's land, & then running Northwardly on said Sterne's land until it comes to Tatnick road, & then running Eastwardly on said Road until it comes to Gardner Chandler's land, & then running Southwardly on sd. Gardner Chandler's land until it comes to a Corner in said Chandler's land, & then running Eastwardly on sd. Gardner Chandler's land until it comes to another corner in sd. Gardner Chandler's land, & then turning & running Southwardly on said Gardner Chandler's land until it comes to another corner in said Gardner Chandler's, & then turning & running Eastwardly on sd. Gardner Chandler's land until it comes to William Johnson's land, & then turning & running Southeasterly on said Johnson's land until it comes to the land belonging to the heirs of James Brown, late of said Worcester, then turning & running Southwardly on said heirs land to a corner of the said land, then turning & running Eastwardly on said heirs land until it comes to the Country road aforesaid, together with one two storied dwelling-house, & two barns standing thereon, about one hundred & fifty acres being under improvement, and consisting of pasturing, mowing, tillage, & orcharding, & the rest woodland.

Also another tract of land lying Southwardly of the said Heminway's road, & containing by estimation about twenty acres, & bounded as follows, viz. — Northwardly on said Road, Eastwardly partly on land of Ezra Jones & partly on land belonging to the heirs of Zebediah Rice,

Southwardly on Gardner Chandler's land, Westwardly on Capt. Ebenezer Lovel's land — about four acres being under improvement, & consisting of pasturing & orcharding & the rest woodland. — Also another tract of land, the Westwardly corner of which being situate about thirty rods East of the Court-house in said Worcester, containing by estimation One hundred & ninety-five acres, more or less, & bounded as follows, viz. Westwardly & Northwardly on the Country road, Northwardly & Westwardly on land of Timothy Paine, Esqr., Northwardly on land of the Hon. John Hancock, Esqr., Eastwardly on land of Charles Adams, Southeastwardly partly on land of Thomas Wheeler, partly on land of Stephen Salisbury, & partly on land belonging to the Estate of James Putnam, Esqr., an Absentee, Southwardly on Gardner Chandler's land, Westwardly & Southwardly on the land belonging to Daniel Heywood, & Westwardly by various lines, partly on land belonging to the heirs of Abel Heywood, partly on Joseph Lynde's land, & partly on Colo. Timothy Bigelow's land until it comes to the Country road aforesaid, consisting of mowing, ploughing, pasturing, orcharding & woodland, together with one large two storied dwelling-house, one large barn, a corn barn, a tenement formerly improved as an Office, another tenement now improved as a Tailor's Shop, & other buildings all standing on the said tract of land. All the above mentioned tracts of land lying in Worcester aforesaid, bounded as above respectively described, & as the same may be bounded according to his right & title thereto. — Also another tract of land lying partly in said Worcester & partly in Leicester, in the County of Worcester, situate about three miles from the Meeting house, in said Worcester, containing by estimation about three hundred acres more or less, & bounded as follows, viz. beginning at the Northwestwardly corner of Noah Jone's Homestead &

running Westwardly on the Country road until it comes to the Leicester Line, & then turning & running Southerly on Nathan Sargeant's land, it being the Western line of Worcester, & then turning & running into Leicester Westerly on said Nathan Sargeant's land until it comes to Robert Henry's land, & then turning & running Southerly on Robert Henry's land until it comes to land belonging to the heirs of Thomas Dennie, late of said Leicester, then turning & running Eastwardly on land belonging to the heirs of the said Thomas Denny, & then turning & running Southwardly on said heirs land, & then turning & running Eastwardly until it strikes the Town line, & then turning & running Northwardly on the land of the said heirs, & then turning & running Eastwardly on land of John Griggs, & then turning & running Northwardly partly on said Grigg's land, & partly on Jonathan Phillip's land until it comes to the Town Road, & then running Westwardly on said Noah Jones land & then turning & running Northwardly on said Noah Jones' land to the first mentioned bound, consisting of mowing, tillage, pasturing, orcharding & woodland, together with one upright dwelling house & barn standing on the same. — Also two third parts of two hundred acres of land lying partly in Oxford & partly in Charlton, both in the County of Worcester in common & undivided with one Benjamin Rich — said two hundred acres being bounded as follows — Southwardly on Coxe's land, so called, Westwardly on John Stephens's land being Lot No. 5, Northwardly on Thompson's land, so called, & Eastwardly on said Stephen's land, consisting of mowing, ploughing, pasturing, orcharding & woodland, with an old Mansion house & old barn standing on the same. — Also a pew in the Worcester Meeting house, situate on the lower floor of the same & adjoining to the North end of the pew of Timothy Paine,

Esqr. & being the second walled pew North of the front doors. — Also another pew in said Meeting house, situate on the lower floor & in the Southwesterly corner of said Meeting house, & adjoining to the South side of the pew now improved by Colo. Thomas Wheeler, & the West side of the pew now improved by one Noyes. — Also another pew situate on the lower floor of said Meeting house, being the second wall pew West of the South doors, adjoining to the East end of the pew improved by said Noyes, & the West end of the pew occupied by Chapin & others. — Also three fifths of another pew situate on the lower floor of said Meeting house, being the wall pew adjoining to the North side of the pulpit & to the South side of the pew possessed by Daniel Heywood & others, with all the privileges, appurtenances & easements to each & every of the above described tracts of land to each & every of the buildings afores'd. & to the said several pews belonging to him & his heirs forever.

And also that the said John Chandler since the said nineteenth day of April, viz. on the said first day of September & on the said first day of March, was seized & possessed & was entitled to be seized & possessed, & to have, hold & demand to his own use, each & every of the above-described tracts of land, each & every of the buildings afore'sd. and the aforesaid several pews — with all the privileges, appurtenances & easements to the said tracts of land, buildings & pews belonging to him & his heirs forever — And the said Levi Lincoln further alleges that by force of the premises & of the law of this State entitled “An Act for confiscating the Estate of certain persons commonly called Absentees” — the said several tracts of land, the said buildings & the said pews, with all the appurtenances, to the said tracts of land, buildings & pews belonging, ought to escheat, enure &

accrue to the sole use, benefit & behoof of the Government & People aforesaid afores'd. & that they accordingly ought to be in possession thereof: Therefore praying the advice of the Court here in the premises, & that due process of Law in this behalf may be made — as by the Complaint on file appears. — Which Complaint was exhibited to the Justices of the Inferiour Court of Common Pleas, begun & held at Worcester, within & for the County of Worcester, on the first Tuesday of September Anno Domini One thousand seven hundred & seventy nine; — Thereupon it was Considered & ordered by the Court that the said Complaint be continued to the next Inferiour Court of Common Pleas to have been holden at Worcester, within & for the County of Worcester, on the first Tuesday of December then next following, & which by adjournment of the Great & General Court was held on the second Tuesday of the same December, & that the Clerk of this Court make out a Notification thereof agreeable to Law, containing a Description of the Lands tenements & hereditaments set forth in said Complaint, that all persons claiming said Estate, or any part thereof, may then & there enter their said Claims. At which last mentioned term Jonathan Rice, one of the Deputy Sheriffs within & for said County made return of the Notification issued agreeably to the said order, in the words following, viz. — “Worcester ss. November 3d, 1779. In obedience to the above Warrant to me directed, I have left an attested Copy of the foregoing Notification at the Mansion house on the above described demanded premises, it being the last & usual place of abode of the within named John Chandler within this State, as the law directs. Jonathan Rice Depy. Sheriff.” — And the said Levi Lincoln Esqr. appeared further to prosecute the said Complaint, & no person appearing to take upon him the Defence of this Suit, the same was further continued

by order of Court to the Inferiour Court of Common Pleas, begun and held at Worcester, within & for the County of Worcester, on the last Tuesday of March last; at which last mentioned term the said Levi Lincoln, Esqr. appeared further to prosecute the said Complaint, & John Sprague, Esqr. appeared to take upon him the Defence of this Suit, & thereupon the same was further Continued by order of Court to the next Inferiour Court of Common Pleas, begun & held at Worcester, within & for said County, on the second Tuesday of June last, when & where the said Levi Lincoln, Esqr. appeared further to prosecute the said Complaint & the said John Sprague, Esqr. to take upon him the Defence of this Suit. Thereupon the said Complaint was further continued by order of Court to the Inferiour Court of Common Pleas begun & held at Worcester, within & for the County of Worcester, on the first Tuesday of September last, when & where the said Levi Lincoln, Esqr. appeared further further to prosecute the said Complaint, & the said John Sprague, Esqr. to defend the same. — Thereupon the said Complaint was further continued by order of Court to the Inferiour Court of Common Pleas to have been held at Worcester, within & for the County of Worcester, on the first Tuesday of December Instant, & which by a resolve of the Great & General Court was adjourned to the present time. — And now neither the said John Sprague, Esqr. nor any other person appearing to take upon him the Defence of this Suit, proclamation is made for any person or persons who have claim to the Estate in the said Complaint mentioned, described & demanded, either in their own right, or on the part & behalf of the said John Chandler, or of any person whomsoever, to come & defend this Suit, and no person appearing to take upon him the Defence of this Suit — It is by the Court therefore Considered that the said John Chandler is guilty

in manner & form as in the said Complaint is alledged against him, & that the lands, tenements & hereditaments described in the said Complaint are forfeited, & do escheat, enure & accrue to the sole use, benefit & behoof of the Commonwealth of Massachusetts, and that a writ of Habere facias possessionem issue in behalf of the Commonwealth aforesaid to cause them to be seized & possessed of the same.

Attest :

JOS. ALLEN, Clerk.

Commonwealth of Massachusetts.

Worcester, ss.

I, William T. Harlow, Assistant Clerk of the Superior Court for said County of Worcester, hereby certify that the above and foregoing are true copies of the proceedings of the Inferiour Court of Common Pleas in two cases, each entitled *State vs. Chandler*, transferred to said Superior Court and now in the custody of its Clerk.

In testimony whereof I have hereto set my hand and affixed the seal of said Superior Court, this (seal) eleventh day of February, A. D. 1901.

WM. T. HARLOW,
Ass't Clerk.

P. S. Ch. 152, § 27.

C.

COPIES OF PAPERS IN THE MASSACHUSETTS ARCHIVES RELATING TO THE CASE OF JOHN CHANDLER.

LIST OF PAPERS IN THE MASSACHUSETTS ARCHIVES.

- No. 33. Certificate of the Committee of Correspondence, Safety and Inspection of Murrayfield as to real & personal estate of Chandler in that town. May 26. 1777
- No. 34. Certificate of Judge of Probate as to Report of Commissioners to examine claims against the estate. May 8, 1782.
- No. 35. Certificate of Judge of Probate to claim of George Bethone. May 20, 1782
- No. 36. Extract from Certificate of Register of Probate as to names of Agents. June, 8. 1782
- No. 37. Certificate of Judge of Probate as to report of Commissioners to examine claims against the estate. October 7, 1783
- No. 38. Statement of Account of Committee for the sale of Absentees Estates in Worcester April 20, 1784 (?)
- No. 39. Receipt of Gad Peirce — no date
- No. 40. Memorandum of Expenses on real estate purchased by Levi Lincoln. No date
- No. 41. Bill of Probate Office. June 10. 1784.
- No. 42. Report of Secretary as to Warrants drawn on Chandler's Estate.

[Number 33.]

Massachusetts Archives, vol. 154 : 122.

MURRAYFIELD May 26 1777

pursuant to an act of the Great and General Court of the State of Massachusetts Bay April 19 1776 ——— Directing the Committee of Correspondence Safety and Inspection to tack possession of all the Real and personal Estate of all such persons as have fled to our Enemys — The Committee of this Town have tackin of Real and personal Estate Left by the persons after mentioned, and Disposed of it according to our Best discretion and judgment for the use of this State —

* * * * *

2ly Some personal Estate Left by Col John Chandler in this Town and Sold by the Committee for thirty five pounds Eight Shillings Eight pence to Mr. Theadeus Newton, and Liut James Black his Surety Both of this Town
 3ly Real Estate in this town which Did Belong to Col John Chandler which the Committee have Least out to s^d thaddeus Newton for Eighteen pounds one year Capt Malchum Henry his Bondsman

* * * * *

this Return made By order of the Committee.

SAMUEL MATTHEWS Chairman

[Number 34.]

Massachusetts Archives, vol. 155 : 280.

Commonwealth of Massachusetts

Worcester ss.

To his Excellency John Hancock Esq^r Govenor of the Commonwealth of Massachusetts in council —

These are to certify — that in pursuance of the laws of

this Commonwealth, commissioners have been Duly appointed by the Judge of Probate &c. for said county of worcester with full power to receive and examine the claims on the estate of John Chandler Esq^r late of Worces- ter in said county an absentee, — and to report thereon, and that said Commissioners have agreeable to Law made their report to the said Judge of Probate on oath, by which it appears that the sum of £1979-18-1 $\frac{1}{2}$ ——— lawfull money of this commonwealth, at the rate of silver @ six shillings and eight pence per ounce is the whole amount of all the claims exhibited against the estate of the said John Chandler, together with the sum of £5-1-0 due to the said Commissioners, and the sum of £0-10-0 due to the probate office for Receiving examin- ing allowing & recording the return of the said Commis- sioners — and making this certificate of Claims — And that there is due from said Estate to the persons hereafter mentioned, claimants on said Estate, the particular sums respectively sett against their Names, lawfull money in gold or silver, viz,

To Jonathan Gates Jun^r Worcester on

Ac ^t :	£ 5-12- 0
Nath ^l Heywood of Srewwsbury on Ac ^t	3-11- 0
John Fisk Worcester on Note	14- 3- 0
Phillip Donehue of Worcester on Ac ^t	0-16- 0
William Trowbridge Do — on Ac ^t	1-14- 2
Edmond Heard of Lancaster on Ac ^t	1- 5- 8
James Loyd, Boston on Ac ^t	1- 3- 0
Benj ^a Green & Sons of Boston on Ac ^t against John & Clark Chandler being one half of the Ac ^t .	576-19- 0
Ruffus Green Boston on Bonds being the one half of the Bonds Due from John & Clark Chandler	392- 6-10- $\frac{1}{2}$

To Thomas Fairweather Esq ^r of Cambridge Executor on the Estate of Mary Hubbard on Bond	135- 5- 0
George Bethone of Little Cambridge on Bond	276- 0-
Daniel Bancraft Salem on Ac ^t .	14-18-11
Benj ^a Green & Sons Boston on Note & Ac ^t .	422-19- 2
Robert Smith Murrysfield on Ac ^t .	30- 0-
Mary Chandler of Worcester on Ac ^t .	103- 9- 4
	<hr/> £1979-18- 1-1/2

In Testimony whereof I have hereunto set my hand and seal of Office this eighth day of May in the year of our Lord seventeen hundred and eighty two

LEVI LINCOLN J. Prob-

[Number 35.]

Massachusetts Archives, vol. 155 : 226.

Commonwealth of Massachusetts.

Worcester ss.

May 20th, 1782.

These are to Certify all whom it may concern, That in Pursuance of the Laws of this Commonwealth, Commissioners have been duly appointed by the Judge of Probate, &c. for the said County of Worcester, with full Powers to receive and examine the Claims on the Estate of The Hon^l John Chandler Esq ——— late of Worcester — in said County, an Absentee, and to report thereon, and that said Commissioners have agreeable to the Law made their Report to the said Judge of Probate, on Oath, by which it appears that the Sum of One Thousand nine hundred & seventy nine pounds 18/ 1d¹/₄ Lawful Money of this Commonwealth, at the

Rate of Silver at Six Shillings and Eight Pence per Ounce, is the whole Amount of all the Claims exhibited against the Estate of the said Absentee — and that the Sum of Two hundred seventy Six pounds — Lawful Money, in Gold and Silver, is due from said Estate to George Bethone of Little Cambridge — one of the afore-said Claimants.

LEVI LINCOLN Judge of Probate.

[Number 36.]

Massachusetts Archives, vol. 154 : 330.

Agents Names	Absentees Names.	Towns.	Personal Estates.	Rents of the Real Estate.
Joseph Allen Esq ^r .	John Chandler Esq ^r .	—	Not Settled for the year 1780	Settled for what lies in the County of Worcester — Settled
	James Putnam Esq ^r .	Worcester	Not Settled for 1779 & 1780	
	Rufus Chandler Gent	—	Not Settled —	No Real Estate
*	*	*	*	*

Worcester ss. June 8th 1782

To the Great and General Court of the Commonwealth of Massachusetts In Obedience to an order of the late General Court, the above is presented by

JOSEPH WHEELER

Register of the Court of Probate for said County.

[Number 37.]

Massachusetts Archives, vol. 155 : 330.

Commonwealth of Massachusetts.

Worcester ss. —

To His Excellency John Hancock, Esquire,

Governor of the Commonwealth of Massachusetts, in Council. —

These are to Certify, That agreeable to a Resolve of the

Great and General Court of this Commonwealth, bearing Date March 7th A. D. 1782, the Commissioners heretofore appointed by the Judge of Probate for the County of Worcester, to receive & examine the Claims on the Estate of John Chandler Esq^r late of Worcester in the said County, an Absentee; have been duly re-appointed by the Judge of Probate of the said County (it appearing that the same would tend to the furtherance of Justice) — with full Powers to Receive & examine the Claims on said Estate, not heretofore received & duly examin'd, and to Report thereon: And that the said Commissioners have agreable to Law, made their Report to the said Judge of Probate, on Oath; by which it appears that the Sum of One Thousand, forty six Pounds, twelve Shillings & five Pence, lawful Money of this Commonwealth at the Rate of Silver @ six Shillings and eight Pence per Ounce, is (in addition to the Claims heretofore allow'd) the whole Amount of all the Claims exhibitted against the Estate of the said John Chandler, together with the Sum of £5-6 — due to the Commissioners for their Service & expences in the Execution of their last Commission, and £0-12 due to the Probate Office for the Commission, examining, allowing & recording the Return of the said Commissioners, and this Certificate of Claims: And that there is due from the said Estate, to the Persons hereafter mentioned, Claimants on said Estate, the particular Sums set against their Names respectively, lawful Money in Gold or Silver, viz.

To Benjamin Greene	£240-11- 9
To Martha Green	591- 0- 0
To Sarah Greene	42- 2- 6
To Gardner Williams	47-15- 0
To Charles Chandler & Samuel Chandler	125- 3- 2

Worcester October 7th 1783.

JOSEPH DOW J. Prob.

[Number 38.]

Massachusetts Archives, vol. 155: 227 (1).

Dr the Estate of John Chandler Esqr an Absentee in Account with the Committee for the
Sale of Absentees Estates in the County of Worcester.

	Date	Situation	No of Build- ings	No Acres	To whom Sold	
To Tavern Expenses & Horse Hire	£5- 4-11	Worcester	2	170	Levi Lincoln Esqr	570- 0- 0
To our Commission for } Transacting the Busi- } ness at 2 per Cent	16- 3- 8	&				
To Auctioneering	2- 0-	Athol	0	200	Hiram Newhall	55- 0- 0
George Bethons Claim	276- 0- 0	&		200	Solomon Goodell	60-16- 8
An order of Court	286- 0- 0	Winchendon		200	Silvanus How	123- 6- 8
To Lincolns Account	32- 6- 6					809- 3- 4
	617-15 -1					
To Mr Lincolns Receipt	20-17					
	638-12- 1					
To Ballance due on this Estate	170-11- 3					
	£809- 3- 4					

[Number 39.]

Massachusetts Archives, vol. 155 : 227 (2).

Receiv^d of John Fessenden Esq^r The Committee for the Sale of Absentees Estates in the County of Worcester the Sum of Twenty Seven Shillings and five pence for the Expence at my House when Selling the land late the Property of John Chandler Esq^r an Absentee.

GAD PEIRCE

[Number 40.]

Massachusetts Archives, vol. 155 : 227 (3).

To two Journeys to Worcester on Chandlers

Estate Sold to Levi Lincoln Esq^r from

Rutland to Worcester 12 miles

Each at 0/6 per mile £ 0-12-0

To Expences on the Road 4/ 0- 4-0

John Fessendens Account £ 0-16-0

Caleb Ammidowns Account on Chandlers

farm Sold to Levi Lincoln to two Jour-

neys from Charlton to Worcester

20 Miles Each at 0/6 per mile £ 1- 0-0

To Expences on the Road 6/ 0- 6-0

£ 1- 6-0

0-16-0

Amounting in the Whole to £2- 2-0

To one Journey to Worcester to advertise

Royatson land 6/ 0- 6-0

Expences 4/ 0- 4-0

To one Journey from Rutland to Royatson

To sell Chandlers Land 35 at /6 per mile 0-17-6

Expences on the Road 8/ 0- 8-0

3-17-6

[Number 41.]

Massachusetts Archives, vol. 155: 228.

The Commonwealth of Massachusetts to the Probate
Office for the County of Worcester D^r

For Sundry Services in settling the Estates of Absentees
in said County, which have not been paid for by the
Several Agents — (Viz) —

Upon the Estate of John Chandler Esq ^r —	} £0-4-0
For makeing two statements of said Estate	
& Certifying the same to the General Court	
agreeable to their Order	

* * * * *

June 10th 1874JOSEPH WHEELER, Reg^r

[Number 42.]

Massachusetts Archives, vol. 154: 391-(4).

Account of Warrants drawn by His Excellency the
Governor on the Treasury in favor of Creditors to Ab-
sentees Estates to be paid out of the proceed thereof.

* * * * *

Estate of John Chandler

John Cunningham	36- 7-10
Daniel Bancroft	14-18-11
Nath ^l Heywood	3-11- -

54-17- 9

* * * * *

JOHN AVERY, Sec^r

D.

JOHN CHANDLER, AMERICAN LOYALIST. HIS CLAIMS FOR "TEMPORARY SUPPORT" AND FOR "COMPENSATION FOR LOSSES SUSTAINED," HIS MEMORIALS, SCHEDULES, EVIDENCES, AND PAPERS, COLLATED, EXTRACTED, AND TRANSCRIBED FROM OFFICIAL DOCUMENTS IN THE PUBLIC RECORD OFFICE OF ENGLAND BY BENJAMIN FRANKLIN STEVENS, L. H. D., A. A. S., F. S. A., AND PRESENTED TO THE AMERICAN ANTIQUARIAN SOCIETY, APRIL, 1901.

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Temporary Support

C

T. B. Chandler
John

Mas.

R/ . 6 Nov^r 1782)

[Number 43.]

To the Right Honorable Lord George Germaine His
Majestys Principal Secretary of State for the American
Department

The memorial of John Chandler Esquire late of
Worcester in the County of Worcester and Province
of the Massachusetts Bay in New England, but now
Resident in London —

Humbly Sheweth

That your Memorialist, in Consequence of his Loyalty
to his King and Attachment to the British Government,
after Suffering the gratest Indignities and Insults from
the rebellious Americans, was Obliged to leave an ample
Estate and a Numerous Family in the County of
Worcester, and flee for Refuge to the Town of Boston;
where he resided, under the Protection of the Kings
Troops, for more than Sixteen months, and when they
evacuated the Town of Boston, he went with them to
Hallifax:

That your Memorialist, haveing been for Several Years
of his Majestys Council (from which he had been dropped
from his Opposition to many *popular* Proceedings) and
still Continuing to be at the Head of the Militia, a Judge
of the Probate of Wills and in the Commission of the
Peace for said County, considered himself as under

Stronger Obligations to use his Influence for quietting the minds of his Countrymen, and inducing them to pay a proper Submission to the Laws and Authority of Great Britain, than if he had been in a private Station, and became proportionably more obnoxious to the People; in Consequence of which he has not been able, Since September 1774, to procure any Support from his Estate, which was and is in the Hands of the Rebels; and that by means of this unnatural Rebellion, and on account of his Attachment to his Majesty's Government, he is now reduced to temporary Poverty.

Your Memorialist therefore humbly prays your Lordship in whose Humanity he has the gratest Confidence, that Such present Support may be provided for him, as his Situation may be thought to require; and Your memorialist, as in Duty bound, Shall ever pray.

JOHN CHANDLER.

London September 2^d 1776

(*Endorsed*)

Copy of Petition
to Lord Germaine

[Number 44.]

The following is a Copy of a Petition To the Right Honorable the Lords Commissioners of the Treasury — Presented the Seventeenth day of February Anno Domini: 1779 viz^t

To the Right Honorable the Lords
Commissioners of the Treasury

The Petition of John Chandler Esq^r most humbly
Sheweth

That your Petitioners present Unhappy Situation compells him to trouble your Lordships a second time, with

a more particular Representation of his case, and with a humble and dutiful request for farther releif, under his uncommon and almost unexampled misfortunes.

That for many years before the American Rebellion your Petitioner held Several important and respectable offices in the Province of the Massachusetts Bay; and, with what fidelity to his King and Country he discharged the Duties of them the Certificates hereunto annexed will Sufficiently Shew: That Several of the Offices which he held being elective, and depending on the choice of the people, were considered by them as laying a peculiar Obligation upon him to Support their measures in opposition to the British Government, and consequently his Refusal of that Support exposed him in a peculiar degree to the outrage and persecution of the disaffected and licentious:

That, after Suffering the most cruel Insults, being deprived of his Liberty and threatned in the most alarming manner, unless he would Sacrifice his Loyalty to the King, renounce the Worcester Protest which he had promoted and Signed, and adopt in its Stead a very treasonable *League and Covenant* which was offered to him, he was obliged, in order to Save himself from an ignominious Death, to fly from his home in November 1774, and put himself under the Protection of the Kings Troops then in Boston:

That he left a beloved wife and Sixteen Children to the mercy of the Rebels; but that four of his sons soon afterwards at the Risque of their lives, also made their Escape to Boston (who are now at New York) while his eldest Son was confined to his House, and his Second imprisoned in the common Goal of the County:

That all the money your Petitioner could collect, under Such circumstances, for his own Support, was Eight Hundred thirty two pound; which sum, by Sickness

brought upon him by his Fatigues, by a voige which he was obliged to undertake for the Recovery of his health (in which voige he was Shipwrecked, and nearly Lost his life) and by other unavoidable Accidents, he had expended before his arrival in England :

That, in order to give your Lordships a more perfect Idea of your Petitioners Sufferings, he thinks himself bound in duty and Justice to disclose what he did not originally intend to avail himself of or discover, namely, that the Income of his real and personal Estate, Acquired by his own honest and honorable Industry, was upwards of thirteen Hundred £ Annum

That your Petitioner very gratefully acknowledges your Lordships former Goodness to him ; but yet he humbly implores your farther Consideration of the very peculiar Hardships of his case, especially as his present Allowance with the Strictest oeconomy, is not Adequate to his necessary expences, and as he has already been obliged to contract Debts which he is unable to discharge : and That this Petition is most dutifully presented, in full confidence of your Lordships Goodness and Candour, and with an humble hope that your Petitioners former Circumstances and Stile of life, together with his Rank in the Province where he resided, in which he had the Honour to serve for many Years as one of his Majesty's Councillors, till he was left out merely for his Opposition to the Seditious Proceedings of the Inhabitants will have their due weight with Your Lordships.

And as in duty bound shall ever pray

JOHN CHANDLER

(Endorsed)

Certificates &
Memorial of M^r Chandler
R. 6^o Nov 1782.

[Number 45.]

I certify that I long knew John Chandler Esq^r late of Worcester in the province of the Massachusetts Bay, but now of London, in which time, he was several years Sheriff of said County, Member for said town of Worcester, Judge of Probates for the county of Worcester, Colonel of the Militia and one of his Majesty's Council in the Province aforesaid; in most of which offices he succeeded his father. And in all which departments, I always understood he discharged his duty with great honor and integrity. That he always was an active and fast friend to Government; and in consequence thereof, was obliged to quit his home and family, which was very numerous, and fly to Boston for protection. That for many years before that unhappy event, he was universally esteemed a Gentleman of a very affluent fortune for America, and lived in that stile. And though it is impossible for me to certify precisely to all the facts, by him alledged in his petition, touching his estate, yet from his known honour and veracity, as well as from general report, I declare, that I have no doubt of the same.

ROBERT AUCHMUTY

October 29th 1782.

[Number 46.]

At the Request of John Chandler Esq^r I do hereby certify, that he was one of the principal inhabitants of the County of Worcester in the province Massachusetts, many years Sherrif of that County, & upon his Resignation was appointed Judge of Probate, Colonel of a Regiment, one of His Majesties Justices of the peace throughout the province, & a member of the provincial Council — he Possesed great property, had a numerous family and Very

Early distinguished himself in Support of the constitution
for which he suffered great persecution

THO^S FLUCKER

Secretary of
the Province

November 4th 1782

[Number 47.]

I Certify that the Petitioner bore the Character of a firm and steady friend to Government, that he Suffered Persecution for his attachment to it, and was driven from his Estate, which by report, was considerable in the Massachusetts Bay and obliged to seek Protection in Boston, that he associated with others in the defence of that place, till attacked by a severe sickness he obtained my permission to go to Nova Scotia.

THO^S GAGE

Portland Place
Janu^r 28th 1779

[Number 48.]

At the Request of the Petitioner I Certifye, that he sustained Several Principal civil and military offices in the County of Worcester while I was Governour of the Massachusetts Bay, as he had done for several years before — that he was by Repute possessed of as large property as any person in the County — that I always looked upon him as a person firmly attached to Government, and have reason to believe that for such attachment he was left out of the Council of which he had been divers years a member

Sackille Street
Janu^r 28: 1779

THO: HUTCHINSON

[Number 49.]

At the Particular request of the Petitioner to Certify his memorial I can only confirm the several Circumstances as set forth in the foregoing Certificates Signed by Lieut Gen^l Gage and Governour Hutchinson –

THO^s OLIVER

Bentinck Street

Jan^a 30 : 1779

[Number 50.]

I Certifye that I Long knew the within named petitioner in America during which time, he was Several years Sheriff of the County of Worcester, member for the Town of Worcester, Judge of Probate for said County, Col^o of the militia, and one of his Majestys Council in the province of the Massachusetts Bay; in most of which offices he succeeded his father, and in all which departments, I always understood he discharged his duty with great Honor and Integrity, That he always was an active and fast friend to Government, and in consequence thereof was obliged to quit his home and family, which was very numerous, and fly to Boston for Protection. That for many years before that unhappy event, he was universally Esteamed a Gentleman of a very affluent fortune for America, and lived in that Stile, and though it is impossible for any one to certifye precisely to all the facts, by him alledged, in his petition, yet, from his known honor and veracity, I declare, that I have no doubt of the Same

ROB^t AUCHMUTY –Brompton Row N^o 4Feb^r 17 : 1779 –

Copy

*(Endorsed)*Memorial and
Mas

Papers relating
to M^r John Chandler

He attended 26th Oct^r
was heard & examin'd

[Number 51.]

(From Audit Office, Loyalist Series, volume 105, folio 122.)

PERSONS receiving ALLOWANCES under a General Minute of the Board dated the [] day of [] but whose Claims are not set forth by Memorial or supported by Voucher

Names	Present Allowance	Professions.
Chandler John	£100	Judge of Probat of Wills & Col: of Militia

Produces Copies of Certificates of Gen^l Gage, Thomas Hutchinson, Tho^s Oliver, & R. Achmuty, *the Originals of w^{ch} he delivered to M^r Rowe.* Bore every Office at Worcester as the Council of the Province of Massachusetts Bay, Judge Protest of Wills — Sheriff of the County, — Lost real & Personal property to the Value of 25000£ was very ill used in Septem^r 1774 by the Rebels, when he got away to Boston, & associated for the Defence of y^e Town. Came away with the Troops has been in a very bad state of health ever since he came to Town, is 62 Years of Age, has 16 Children, 11 Sons, & 5 Daughters, himself & Family all ruined — has no Children here to provide for, has nothing to depend upon but this provision, except about 21£ is known to M^r Flucker, & every Gentleman in the Country. —

N B. tho' We are perfectly satisfied with the truths of the above particulars, wish in point of Form, to have the

Originals of the above Certificates, or to have the Copies attested. — M^r Flucker Speaks of his being one of the first Men in the County, that he lived, & having met with very hard measure, M^r Harrison Gray, Confirms the above.

DECISION.

This Gentleman was in a most respectable situation in Life, & has been spoken well of, by every one who has spoken of him at all. — his property was very great being Estimated at £25,000 Sterl^e besides this he has 16 Children tho' none of them are in this Country, Is 62 Years of Age, & We think his Case calls for an Augmentation of 50£ a year in future. —
Ex^d

(Pages 35 to 337 [Numbers 52 to 96 inclusive] are from Audit Office, Loyalist series, Bundle 73. These papers are docketed : —)
N^o 443

[COMPENSATION]

John Chandler N^o 2
Little Titchfield Street
Memorial and Schedule

N^o 10. North Street
Tottenham Court Road

received 11th Feb^r 1784

[Number 52.]

TO THE COMMISSIONERS

appointed by act of Parliamant for enquiring into the Losses and Services of the American Loyalist

The memorial of John Chandler late of Worcester in the Province of the Massachusetts Bay Esq^r
Humbly Sheweth

That your memorialist who is a native of New England

has been always Loyal upon principle and firmly attached to the British Government which he endeavoured to Support to the utmost of his power by openly opposing from the beginning the seditions and unlawful practices which Brought on the late unhappy Dessensions in America

That with this view at an early period he was Instrumental in bringing forward an open Protest against the popular proceedings in which he was Supported by the principal People of the Town of Worcester and to render it the more effectual he and his Loyal associates caused it to be entered on the Town Records and Copies of it to be circulated thro the Country in the publick News Papers. see the Protest marked A

That in September AD 1774 a mob of several Thousands of Armed People drawn from the neighbouring Towns assembled at Worcester for the purpose of Stopping the Courts of Justice then to be held there which haveing accomplished they seized your memorialist who in order to save himself from Immediate death was obliged to renounce the afore said Protest and Subscribe to a very Treasonable League and Covenant.

That he soon after found it necessary for his Personal Safety to leave his numerous Family and fly for protection to Boston where, upon the commencement of the Blockade, he did the common duty of a Patrole till prevented for want of Health.

That when the Evacuation of Boston took place in March A D 1776 he went with the Kings Troops to Hallifax taking three of his sons with him and that he came from Hallifax to England the July following while his three Sons attended the army to New York where they remained during the war often doing military duty and always giving the army all the assistance in their Power.

That in consequence of his Loyalty to his Majesty and Attachment to the British Government your memorialist

besides many other Hardships and Sufferings has been compelled to quit a profitable mercantile business to give up the respectable office he held and to leave his whole Estate in the hands of the Americans who have actually Confiscated his real Property and have his personal Estate Still in their Power.

All which particulars are fairly Stated in the annexed schedule by which you will be able to Judge what Losses he has Suffered in his Rights Property and Profession during the late unhappy dissensions in America in consequence of his Loyalty and attachment to the British Government.

Your Memorialist therefore prays that his case may be taken into your consideration in order that your Memorialist may be enabled under your report to receive such aid or releif as his Losses and Services may be found to deserve

JOHN CHANDLER

N^o 2 Little Titchfield Street
Cavindish Square
February 9 : 1784 -

[Number 53.]

A Schedule of the Estate of John Chandler Esq^r Confiscated by the Massachusetts State refered to in the annexed Memorial viz^t (valued in Sterling)

N ^o 1. One Acre two Rood and twenty nine perch of land in Worcester on which Stands his Mansion House two large Barns a Stable for thirteen Horses a large Granery a Chaise House one half of a large Store House and Sundry other Buildings held by deeds from Daniel Willard, and the Town of Worcester and the Proprietors of Worcester. see N ^o 1 valued at. . .	Sterling £750. 0. 0
--	------------------------

- A Farm Containing one Hundred and Eighty eight acres and three Quarters of land well watered fenced with Stone wall and under the best Improvement Situated in Worcester on the Road leading to Sutton known by the name of the mill Farm with a good dwelling House a large Barn and orchards two valuable Corn mills and a Bolting mill Standing on Blackstone River with a dam and the privilege of raising a Pond of water held by Deeds from Zechariah Heard, Richard Heard, Elisha Rice, Francis Cutting, Joseph Hastings and Gardiner Chandler See N^o 2 valued at. . £1500. 0. 0
- Seventeen acres and one Rood of valuable wood land in Worcester held by Deeds from Daniel Heywood and Barzaleel Gleeson see N^o 3 valued at £3 p acre £ 51.15. 0
- A Cedar Swamp in Worcester Containing Sixteen acres and a half held by Deeds from John Chandler and Gardiner Chandler see N^o 4 valued at £10 p acre £ 165. 0. 0
- A Pasture in Worcester Containing Seventy acres three Quarters and Eleven perch well watered and fenced held by Deeds from Gardiner Chandler, John Frith and Lydia Chaddick see N^o 5 valued at £3.10/ p acre £ 247.12. 6
- A Pasture Containing twenty six acres and a half in Worcester watered and well fenced held by Deeds from Henry

Baldwin and Samuel Mower — See	
N ^o 6 valued @ £5 p acre	£ 132.10. 0
A Farm in Worcester near the Meeting	
House Containing two Hundred and	
fifty Six Acres Acres & a Quarter	
with a good dwelling House two large	
Barns an artificial Front Pond twenty	
three perch Long and Seven perch	
wide the whole well watered and	
fenced with Stone wall and under	
the best Improvement held by deeds	
from Jacob Hemingway & wife and	
Anna Rice, Joseph Blair, Daniel	
Heywood, Thomas Stearns, Propri-	
etors of Worcester two deeds Robert	
Blair, and Joshua Childs see N ^o 7	
valued at £5 p acre	£1280. 0. 0
Forty acres of Land divided from the last	
Farm by a Town Road on which	
stands a large young orchard the	
remainder wood land held by deeds	
from the Town of Worcester and	
James Putnam Esq ^r See N ^o 8 valued	
a £4. 0/ — p acre	£160. 0. 0
A Farm in Worcester near the Court House	
Containing two Hundred and three	
acres well watered and fenced with	
Stone wall on which Stands a large	
well Built Dwelling House two Barns	
with a Granery and Sundry other	
valuable buildings held in part by	
the last will and Testament of my	
late father also by deeds from my	
father and Gardiner Chandler see	
N ^o 9 valued at	£1800. 0. 0

- A Farm situated partly in Worcester and partly in Leicester Containing three Hundred and twenty two acres & one Hundred and forty four perch well fenced and watered with a large dwelling House and Barn a large orchard and Cyder mill about fifty acres of it Covered with wood and timber the remainder under the best Improvement held by Deeds from Abisha Rice, John Gates, Samuel Waldo & others & Elisabeth and John Southgate see N^o 10 valued at £3.10/ p acre £1130.10
- Two thirds of a Farm Situated partly in Oxford and partly in Charlton in said County Containing in the whole two Hundred acres well watered and fenced with wall held in Common and undivided with Benjamin Rich with an old House and Barn Standing thereon and a large orchard held by Deeds from John Chandler and Gardiner Chandler See N^o 11 valued at 3¹ p acre £ 400. 0. 0
- Two Pews and three fifths of a Pew in Worcester meeting House held by Grant from the Town of Worcester valued @ £25 £ 65. 0. 0
- five Lotts of Land in Royalston in the Same County Containing two Hundred acres each and are lotts N^o 26, 52, 91, 95 & 103 in the whole 1000 acres
- Also a ninth part of the following Lotts in the Same

Town viz^t N^o 22, N^o 50 &
 N^o 70 Containing in the
 whole, 490 acres a ninth
 part is 54

So that the whole of his Land Confiscated
 in that Town amounts to 1054 acres
 @ 9/
 Held by deed from the Province see
 N^o 12

£474. 6. 0

A Farm in Murraysfield in the County of
 Hampshire Containing four Hundred
 acres viz^t Lotts N^o 9, 13, 14 & 15 on
 which Stands a good dwelling House
 large Barn and Sawmill & an orchard
 and Improved by mowing Ploughing
 and Pasturing valued at

£600. 0. 0

Also the following Lotts in said Murrays-
 field and Norwich in the County of
 Hampshire viz^t Lott N^o 56, 59, 85,
 86, 97, & 111 Containing one Hun-
 dred acres each and are in the first
 division 600 acres

Also Lotts N^o 23, 24, 26,
 30, 31, 33 & 46 each
 200 acres is 1400

Lott N^o 27 153

Also Lott N^o 6 105

Also Lott N^o 7.95 acres
 and Lott N^o 20 100
 acres is 195

Also three Intervale Lotts
 marked O. P. & Q.
 50 acres each 150

Also Lott N^o 1 in y^e Sec-

ond Division Con-	
taining	247
Also Lott N ^o 64 Containing	200
Also one fifth part of	
1200 acres Called	
the additional Grant	
a fifth being	240
	<hr/>
	3290 acres @ 10/ £1645. 0. 0

Also about four Hundred acres of Land	
in Murraysfield as it lyes in Comon	
and undivided with the Proprietors	
@ 3/	£ 60. 0. 0
	<hr/>
Total of Real Estate	£10461.13. 6

Held by Grant from the Province

Personal Estate Confiscated	
119 Head of Horned Cattle whereof 70	
were full grown the remainder young	
Cattle @ £3	357. 0. 0
60 Sheep	6/ 18
13 Horses young and old . .	7 ¹ 91
A Negro man Servant	50
Husbandry Tools of all Sorts .	50
three Carriages	40
	<hr/>
	606. 0. 0
	<hr/>
[<i>Supposed Sterling</i>]	£11067.13. 6

His annual Income as Judge of the Pro-	
bate of Wills &c for the County of	
Worcester £25 nine Year is . . .	225. 0. 0

His annual Income from his Store of Mer-	
chandise carryed on with his Stock	
in Partnership with his son Clark	
Chandler at Least £350 p Annum	
nine year is	3150. 0. 0
	<hr/>
	£3375. 0. 0

The Debts due to him in America he Supposes are Secured by the Treaty of peace between Great Britain and that Country. Therefore does not mention them —

Memorandum the following tracts of Land part of his Estate he has as yet no evidence of being Confiscated, viz^t

In Murraysfield In the County of Hampshire

Lotts N^o 17, 28, 32, 39 each one Hundred acres — also fifty acres of the west end of

Lott N^o 10 in the Same Town in the whole 450 acres

In Athol in the County of Worcester a tract

Containing 100

In Royalstone in the same County Lott N^o 8

Containing 200

One half of the Lott N^o 54 in the Same Town

one half is 100

One Quarter of a tract of Land Containing

928 acres as it Lyes in Common and undi-

vided with Isaac Royal James Otis and

Caleb Dana Situated between Leominster

and Westminster in the same County a

Quarter is 232

Witnesses to his Loyalty

Harrison Gray Esq^r late Treasurer of the Province of the Massachusetts Bay N^o 27 Rathbone place

James Putnam Esq^r late Attorney General for said Province N^o 2 Little Titchfield Street Cavindish Square

John Murray Esq^r Cowbridge Glamorganshire and Abijah Willard Esq^r N^o 81 Charlotte Street Portland Chapple both members of his majestys late Council for the Same Province and Joshua Upham Esq^r late aid de Camp to General S^r Guy Carlton N^o 7 Titchfield Street Oxford Market —

Witnesses to his Losses

the aforementioned James Putnam, John Murray, Abijah Willard and Joshua Upham Esq^{rs}

Also John Walker Esq^r late a Cap^t in his Majestys Service Lewisham Kent

(Endorsed)

N^o 443

[COMPENSATION]

John Chandler N^o 2
Little Titchfield Street
Memorial and Schedule

N^o 10 North Street
Tottenham Court Road

received 11th Feb^r 1784

[Number 54.]

To the Honorable the Commissioners
appointed by act of Parliament for inquiring into the
Losses and Services of the American Loyalists.

John Chandler late of Worcester in the
Province of the Massachusetts Bay Esq^r

Prays to be allowed to Correct the following errors
in his Schedule annexed to his memorial of the ninth of
February Last viz^t

Lott N^o 15 Containing one Hundred acres part of the
farm in Murraysfield Containing four Hundred acres
he held by Deed from John Hannum — see the deed
Lot N^o 56 in said Murraysfield in the first division he
held by Deed from the Proprietors. see the deed
In the memorandum of said Schedule N^o 17 Should have
been N^o 95 said Lott N^o 17 having been formerly
Sold.

he also Prays for Leave to add to his said Schedule
the annual value of his Real Estate viz^t

N ^o 1	. . . . .	£50. 0. 0
2	. . . . .	105. - -
5	. . . . .	10. - -
6	. . . . .	7. -. -.
7	}	52. -. -.
& 8		
9	. . . . .	75 -. -.
10	. . . . .	45 - -
11	. . . . .	12 -. -
12	. . . . .	3. - -
14	. . . . .	20 -. -
		<hr/> £379 0. 0

out of the above Sums was allowed to his late wife Mary
Chandler the Income of the Estates

N ^o 1	. . . . .	£50
5	. . . . .	10
6	. . . . .	7
9	. . . . .	75
a Pew in the meeting House	. . . . .	1
		<hr/> £143

deduct the allowance made his said late wife
for her Support during her natural life
there remains £236 p annum for nine

Year is	. . . . .	£2124. 0. 0
Real & Personal Estate Confiscated	. .	11067.13. 6
his Income of office	. . . . .	225. -. -
his Loss in Trade	. . . . .	3150 - -
Total		<hr/> 16566.13. 6

his wife dyed the 10th of Sep^r Last.

All which is Humbly Submitted

JOHN CHANDLER

N^o 2 Little Titchfield Street
Cavandish Square
March 15 : 1784

He prays leave to add as a Witness to his Losses Mr
Ebenezer Cutler Merchant N^o 393 Oxford Street

(*Endorsed*)

N^o 443

John Chandler
Supplement to his
Schedule

Copies

[Number 55.]



[Three VI pence Government Stamps.]

I James Putnam late of Worcester in the Massachusetts Bay designing quickly to embark for Nova Scotia and New Brunswick and being requested by John Chandler Esquire late of said Worcester to testify and say what I know of his Loyalty, services and losses by means of the late Rebellion in America; to be used on his Examination before the Commissioners appointed by Act of Parliament for inquiring into the losses and services of the American Loyalists on his Memorial &c for compensation.

Do testify and declare I have known the said Chandler for more than Thirty Years last past and that he sustained various offices of profit and trust under government in that province where he lived. at different times was a Justice of the Peace, Sheriff of the County of Worcester, Judge of the Probate of Wills &c, Colonel of a Regiment of Militia frequently Representative of the Town in the general Assembly and some Years a Member of the Council for the Province, in all which offices he conducted with

propriety and approbation and his Loyalty I never heard questioned, and I know from the commencement of the troubles between Great Britain and America he was always firm for the support and establishment of the British Government That he opposed their illegal resolves &c in the Town Meetings and resisted as much as he could all the combinations and Violences among the People and finally to manifest to every Body his total disapprobation of the conspiracies &c forming against the British constitution there, Some time in June One thousand seven hundred and seventy four he signed a Protest with above fifty other of the most respectable Inhabitants of Worcester which was published in the News papers and recorded in the Records of the Town, and that soon after the rage of the people encreased so fast that it was unsafe for any person of any Consequence who had opposed their Violent measures to live among them and on that account it was, as he always sayed, and which I fully believe to be true, that Colonel Chandler left most of his Family and Estate at Worcester, came into Boston was there during the blockade, and at the evacuation went with the Troops to Halifax.

He was possessed of a very good Estate real and personal sayed to be and I believe from what I know of it was one of the best in the County I know he had a large and valuable Stock of Cattle and all Implements of Husbandry &c in abundance, and during the greatest part of the time I knew him he was carrying on a considerable Trade in English Goods &c apparently to great profit.

I knew his Dwellinghouse Outhouses &c belonging to it. It was a large good House, well finished and in my opinion including all the Buildings which were many and valuable was worth Eight hundred pounds.

His Farm down in Town near the Court house sayed to contain about two hundred acres I know very well and

considering its situation &c being near the middle of the Town well fenced and a great proportion of it under good improvement I think was worth Six pounds per Acre exclusive of the Buildings which were good and particularly a very good new House then lately built and compleatly finished which with the other Buildings and Gardens I think were worth Eight hundred pounds.

His Farm Uptown said to contain Two hundred and fifty acres with the Buildings &c thereon I knew also very well a great proportion of it was very good Land all well fenced with Stone wall the greatest part under good Improvement the Land was worth at least Five pounds per acre and the Building about Three hundred pounds.

I know the Farm called the Mill Farm sayed to contain one hundred and eighty acres the House and Barn corn and Bolting Mills — the Lands I think were worth Four pounds per Acre the Mills standing on a good and constant stream and having a great supply of custom I think were very valuable, and in my opinion would clear One hundred and fifty pounds per Annum.

The seventeen Acres of Woodland sayed to be by Charles Adam's I did not know particularly but was well acquainted with all the Lands near and about the place and such Lands I think worth Four pounds per Acre.

I knew his Cedar Swamp and that it was as full of good cedar Timber as it could well grow and I know that Cedar was esteemed very valuable Timber and sold for a good price.

I knew the Land sayed to contain Seventy acres at Tatnick in Worcester called Pasture Land and I think it was worth Five pounds per Acre.

I knew the other pasture Land in the same part of the Town sayed to be Twenty six acres it was very good Land and worth Five pounds ten shillings per Acre at least.

The Forty acres as it is called divided from the Up-

town Farm by the Road I knew also and Value that at Five pounds per Acre.

I knew well his Farm in Worcester and Leicester called the Chestnut hill Farm, sayed to contain about Three hundred acres and the dwellinghouse and Barn thereon which were good and almost new the Lands well fenced the greatest part under very good improvement was esteemed to be very good Land and a Valuable Farm and including every thing I think was worth Fifteen hundred pounds.

The Two thirds of a Farm that he owned in Charlton I did not know much about I have passed over it many years ago and remember the Land appeared to be very good, and I have often heard it say'd it was a very good Farm.

I know he had several Pews in Worcester Meeting house in good situations and supposed to be worth as much as any in the House.

As to his Lands in Murray Field I know nothing but by common report, neither do I know his Lands particularly in Royal Stone though I have been in the Town. But can say he was reputed to be a large Proprietor in each Town and the Lands in Murray Field were reputed to be very Valuable.

I am of Opinion his real Estate in Worcester including the profits of his Mills &c was worth at least Four hundred and fifty pounds per Annum and this as well as the value of every Article mentioned in the aforegoing Deposition is made and to be understood to be in Sterling Money.

JAMES PUTNAM

Sworn before the Commissioners of }
American Claims at their Office in }
Lincolns Inn Fields Aug^t 14th 1784 }

CHARLES MONRO

Ass^t. Secretary

(Endorsed)

443

James Putnam's

Affid:

in Support of

John Chandlers

Claim

[Number 56.]



[Three VI pence Government Stamps.]

I Joshua Upham late of Brookfield in the County of Worcester in the late Province of Massachusetts' Bay designing quickly to embark for Nova Scotia and New Brunswick being requested by John Chandler formerly of Worcester in the County of Worcester aforesaid Esquire to testify what I know of his former situation in Life his Loyalty and Attachment to the British Government and the Losses he has suffered in his Rights Property &c in Consequence thereof to be used on his Examination before the Commissioners appointed by Act of Parliament for inquiring into the Losses and Services of the American Loyalists, on his Memorial for Compensation — being sworn on the Holy Evangelists of Almighty God do depose and say

That I have for many Years been well acquainted with the said John Chandler that I resided during the whole of my Life before the American War in the same County with him and know that he for many Years represented the Town of Worcester in the General Court of the Pro-

vince and was afterwards annually for several years elected a Member of his Majesty's Council and always approved by the Governor

that he held and executed with Reputation the office of High Sheriff for that County by Appointment from the Governor — That he succeeded his Father in the office of Judge of Probate of Wills &c for the County which he continued to execute until the Commencement of the War — he had also for many years commanded by Commission from the Governor a Regiment of Militia, and was from the first of my Acquaintance with him a Justice of the Court of General Sessions of the Peace for the same County. he has been uniform in his Attachment to his Majesty's Government and openly on all Occasions opposed the Kings Enemies in the first Stages of the American Usurpation for which he was often insulted and particularly in the Year one thousand seven Hundred and seventy Four when about Five Thousand People assembled in Worcester to prevent the Sitting of the Court of Common Pleas and to put a Stop to the Administration of his Majestys Government — at that time I saw M^r Chandler with some few other Gentlemen of the same Town led in Triumph thro' the general Mob, and compell'd to submit to the Insolence and Humiliating Terms of violent distracted men — soon after which It became necessary for him to quit his Estate and Family and put himself under the Protection of the Kings Troops then at Boston — M^r Chandler was one of the first Families in that County — of fair Character and was possessed at the Commencement of Hostilities of a very large Landed Estate — some parts of which I have often seen and venture to estimate as follows viz^t

A small Tract of Land in the Center of the Town of Worcester with the Buildings including his Dwelling house Store Barns &c the Land used as a Garden and

Yard about the Buildings worth at least Eight Hundred Pounds —

A Farm called Colonel Chandlers Uptown Farm Including the Buildings cannot be worth less than Five Pounds an Acre — The tract of Land divided from the above Farm by a Town Road being a Wood Lot and having an Orchard on it, if taken with the Farm is worth the same Sum by the Acre

A Farm called Colonel Chandler's Down Town Farm with a large Dwelling House compleatly finished and the other Buildings thereon worth at least Two Thousand Pounds —

A Farm partly in Worcester and partly in Leicester called the Chestnut Hill Farm with the Buildings worth at least Four Pounds Ten Shillings an Acre

The above Farms were when M^r. Chandler left them in good repair well fenced chiefly with stone Wall — all Situated in and very near the Town of Worcester, the Principal Town in the County of Worcester — I know M^r. Chandler owned part of the Town of Murrayfield, being a Proprietor of that Town with my Father in Law Colonel Murray — but as I never saw his Lands there I cannot testify to the value

And I the Deponent do further depose and say that in the aforegoing Valuation and Appraisement I have been governed by the prises at which I think all the Estates aforesaid would have sold for in Gold or Silver Money in the Year one thousand seven Hundred and seventy Four and that the said Valuation and Appraisement is made in Sterling Money of Great Britain without favour or partiality and according to my best Knowledge and Ability —

J. UPHAM

Sworn before the Commissioners
of American Claims at their office
in Lincolns Fields, Aug^t. 17th 1784 }

CHARLES MONRO

Ass^t Secretary —

(Endorsed)

443

Joshua Uphams Affidavit
on John Chandlers Claim

[Number 57.]



[Three VI pence Government Stamps.]

I Abijah Willard formerly of Lancaster in the County of Worcester, in the Province of the Massachusetts Bay in North America, Esquire, having determined to embark for the Province of Nova Scotia by the first opportunity, being requested by *John Chandler* formerly of Worcester, in the County of Worcester, aforesaid Esquire, to Testify to The Commissioners appointed by act of Parliament for inquiring into the losses and services of the American Loyalists, What I know of his former situation in life, his loyalty, and attachment to the British government, and the Losses he has suffered in his Rights Property &c. In Consequence thereof, being Sworn on the Holy Evangelists of Almighty God, do depose and say —

— That I have been well acquainted with the said John Chandler for more than forty years, that during this period he was high Sheriff of said County of Worcester, Judge of the Probate of Wills &c, Colonel of the Militia, a Justice of the Peace througout the Province, a representative in the general assembly, and a member of His Majestys Council, He was allways esteemed a faithful Subject to his Majesty, and firmly attached to the British

government, and on every occasion took an open, and active part, in opposing the Popular proceedings which brought on the late American War, and I know that by such his general conduct, and perticularly by Signing a Publick Protest against those proceedings, he rendered himself so obnoxious, as made it necessary for him sometime the latter end of the year 1774 to leave his family, and remove for safety to the Town of Boston, then in possession of His Majestys Troops; I remember that while in Boston the said John Chandler inrolled himself in a Company of associated Loyalists, and cheerfully did military duty for the defence of that Town. — I know the said John Chandlers Estate situated near the meeting house in said Worcester, supposed to contain about one Acre and three quarters of Land, there was a large well built dwelling House, two large Barns, a Stable, a Grainery, a Chaise house, one half of a large Store house, and sundry other buildings on the same, I believe it would have Rented for fifty pounds a year, and was well worth One Thousand Pounds.

I have a general knowledge of the said John Chandlers Estate called the Mill farm, situated in said Worcester on the road leading to Sutton, said to contain about One Hundred, and eighty eight acres of good land, well fenced with stone wall, with a large dwelling house, a good Barn, two Corn Mills, and a Boulting Mill, standing on Blackstone River, which I have ever understood was the most valuable streem in that part of the country, there being a sufficiency of water for grinding at any time in the year. It is my opinion that this estate was very profitable, and would have rented for One Hundred pounds a year, and was worth Two Thousand pounds.

I know the said John Chandlers estate in said Worcester called the Uptown farm, said to contain about Two hundred and fifty six acres, he had here a large farm

House, two large Barns, and a pretty artificial fish pond, this estate is very pleasantly situated within a quarter of a mile of the meeting house, the land was very good, and fenced with stone wall, I think it would have rented for fifty pounds a year ; and was worth Fifteen Hundred, and thirty six pounds.

I am acquainted with about forty acres of Land belonging to the said John Chandler, devided from the last mentioned estate by a Town road, where he had a large young Orchard, well fenced with stone wall, the remainder valuable wood Land, I think this Tract of Land was worth One Hundred and sixty pounds.

I am well acquainted with the said John Chandlers Estate in said Worcester, called the Down Town farm, I suppose it contained about Two hundred acres of very Valuable Land, under the best improvement, and fenced with stone wall, here was a large handsome new dwelling house, (I believe as well built as any in the County) two Barns, a Grainery, with sundry other valuable buildings, and two spacious Gardens, this estate was situated in the most desirable part of the Town, near the Court House, I believe it would have rented for Seventy five pounds a year, and was worth Two Thousand pounds.

I also know the said John Chandlers Estate situated partly in Worcester, and partly in Leicester called Chesnut Hill-farm, said to contain about Three Hundred and twenty acres, there was a large farm House, a Barn, a Cyder mill house, and a very valuable Orchard on the same, the Land is very good, and was well improved, I suppose this Estate would have rented for Fifty pounds a year, and was worth Twelve Hundred, and ninety two pounds.

I have frequently been in Worcester Meeting house, and think the said John Chandlers Pews there, would have sold for thirty pounds each.

I have often been in the Town of Royalston in said

County of Worcester, where I allways understood the said John Chandler owned Large Tracts of Land, but I have no perticular knowledge of his Lands there, however from my general knowledge of Royalston, and the Country adjoining, I think that unimproved Lands there on an average are worth Ten shillings an Acre.

I am well acquainted with said John Chandler's Farm in Murrayfield, in the County of Hampshire, in said Province of Massachusetts Bay, containing about Four Hundred acres of very good Land, I believe about One Hundred and fifty acres were under improvement, there was a good Farm house, a large Barn, a valuable Saw mill, and an Orchard on the same, I think it would have rented for Twenty five pounds a Year, and was worth Six Hundred pounds.

I am also well acquainted with the said John Chandlers, other Lands in said Murrayfield, and also his Lands in Norwich in the same County, which together with his share of the additional grant to the Proprietors of said Murrayfield, I think on an average were worth Twelve shillings an acre, Except his share of the undivided lands in the two last mentioned Towns, which I think were worth only Three shillings an Acre.

And the Deponent further says, That the said John Chandler was allways supposed to be, and he verily believes was, possessed of a very ample Independant fortune, and that this Valuation and appraisement is made in Sterling money of Great Britain, without favor or partiality, and according to his best knowledge and ability.

ABIJAH WILLARD

Sworn before the Commissioners
of American Claims at their Office
in Lincoln's Inn Fields July 19th 1784 }

JOHN FORSTER

Secretary

(Endorsed)

443

Abijah Willard's

Aff:

in support of

John Chandler's Claim

[Number 58.]



[Three VI pence Government Stamps.]

I Ebenezer Cutler formerly of Groton in the County of Middlesex in the Province of Massachusetts bay in North America having determined to embark for the Province of Nova Scotia by the first opportunity being requested by John Chandler formerly of Worcester in said Province of Massachusetts Bay — To testify to the Commissioners appointed by Act of Parliament for enquiring into the Losses & Services of the American Loyalists, all I know of his former situation in Life, his Loyalty and Attachment to the British Government and the Losses he has sustained in his Property in consequence thereof; Being sworn on the holy Evangelists of Almighty God, Do depose & say — that I have known the said John Chandler more than twenty Years, during which Time he has held many respectable offices of Trust under his Majestys Government and was always esteemed a faithfull Subject to his Majesty and uniformly attached to the British Government and always opposed the measures that bro't on the late American War, I remember he signed a public Protest against those Measures, which was published in

the News Papers that circulated through America & thereby rendered himself so obnoxious to the Kings Enemies, that before the nineteenth day of April 1775, he was compelled to leave his Family and remove for safety to the Town of Boston then in Possession of his Majestys Troops and I recollect that he remained within the British Lines during the Blockade of that Place & that he went from thence with the Army to Halifax — And I the said Ebenezer Cutler do further depose and say, that from some time in the Year 1763 until sometime in the Year 1771, I lived in the Towns of Northborough & Oxford in the County of Worcester aforesaid about ten Miles distance from the said John Chandlers dwelling house in said Worcester and thereby became well acquainted with his real Estate, hereafter discribed, that is to say, — I know the said John Chandlers Homstead situated near the Meeting house in said Worcester supposed to contain about one Acre & three quarters of Land, there was a very large valuable dwelling house two Store Houses, a Stable, two large Barns, and sundry other buildings on the same, I think this Estate is as well situated for business as any in the County and was worth eight hundred pounds — I also know the said John Chandlers Estate called the Mill Farm situated in Worcester aforesaid on the Road leading to Sutton, said to contain about one hundred & eighty eight Acres of Land well improved, there was a good Dwelling house a large Barn, two very valuable Corn Mills and a Bolting Mill on the same, I believe this Estate was worth sixteen hundred pounds — I also know the said John Chandlers Estate situated in said Worcester about a Quarter of a Mile from the Meeting house called the uptown Farm supposed to contain about two hundred & fifty six Acres of Land under good Improvement, there was a large Farm house & two large Barns on the same — I think this Estate was worth

fourteen hundred Pounds — I also know the said John Chandlers Estate in said Worcester called the down Town Farm supposed to contain about two hundred acres of very valuable Land, with a very handsome new Dwelling house, two Barns and sundry other Buildings on the same — This Estate was very advantageously situated near the Court house and I think was worth two thousand Pounds — I also know the said John Chandlers Estate situated partly in Worcester aforesaid & partly in Leicester called the Chest nut hill farm; said to contain about three hundred and twenty Acres of Land, there was a good dwelling house, a Barn a Cider mill house and a very large Orchard on the same, I think this Estate was worth twelve hundred and Eighty pounds —

I am also well acquainted with an Estate situated partly in Charlton & partly in Oxford in the County of Worcester aforesaid supposed to contain about two hundred Acres of very valuable Land remarkably well watered; there was an old Farm house a good Barn and an Orchard on the same, This Estate was rented to a Benjamin Rich, I also understood that, it belonged to the said John Chandler and Timothy Paine Esq^{rs}, and think it was worth six hundred pounds

And I the s^d Ebenezer Cutler do further depose and say that the said John Chandlers Estates before mentioned were all under good Improvement & remarkably well fenced with Stone Wall, and that the said John Chandler was always reputed to be, and I verily believe was possessed of a very ample independant fortune and that in the aforegoing Valuation and Appraisement I have been governed by the prices at w^{ch} I think all the Estates aforesaid would have sold for in Gold or Silver money on or about the Nineteenth day of April 1775, or shortly previous thereto. and that the said Valuation and Appraisement is made in sterling money of Great Britain without

favor or partiality and according to my best Knowledge and Ability.

EBEN^R CUTLER

Sworn before the Commissioners of }
American Claims at their office Lin- }
colns Inn Fields Aug^t 18th 1784 }

JOHN FORSTER

Secretary

(*Endorsed*)

443

Ebenezer Cutlers Affidavit
in John Chandlers
Clame

[Number 59.]



[Three VI pence Government Stamps.]

I Daniel Murray formerly of Rutland in the County of Worcester in the Province of the Massachusetts Bay designing quickly to embark for Nova Scotia and New Brunswick being requested by John Chandler formerly of Worcester in the County of Worcester aforesaid Esquire To testify what I know of his former Situation in Life, his Loyalty and Attachment to the British Government and the Losses he has suffered in his Rights Property & in Consequence thereof to be used on his Examination before the Commissioners appointed by Act of Parliament for inquiring into the Losses and services of the American Loyalists on his Memorial &c for Compensation — being sworn on the Holy Evangelists of Almighty

God do depose and say that I have known the said John Chandler more than Twenty Years last past during which time he held various offices of Profit and Trust under his Majesty's Government and was always reputed to be a Loyal faithful Subject to his Majesty and firmly attached to the British Government I know he always opposed the Measures which brought on the American Rebellion and remember that by reason of his many Exertions for the support and Maintenance of his Majesty's Government in America he became very unpopular and sometime the latter End of the Year one thousand seven Hundred and Seventy Four was obliged to leave his Family and Estate and remove for safety to the Town of Boston then in Possession of his Majesty's Troops.

And I the Deponent do further depose and say that for more than Two Years shortly previous to the Commencement of the American War I lived in the Town of Worcester aforesaid and thereby became well acquainted with the said John Chandler's Real Estate hereafter described viz^t

About one Acre and three quarters of Land Situated near the Meeting House in said Worcester there was a very large well finished Dwellinghouse Two Storehouses, Two large Barns, a stable and many other valuable Buildings on the same and in my Opinion was well worth Eight Hundred Pounds.

I also know his Farm in Worcester aforesaid called the Mill Farm said to contain about One Hundred and Eighty Eight Acres there was a large Dwellinghouse and Barn and two very profitable Corn Mills on the same and in my Opinion was worth Two Thousand Pounds.

I also know his Farm in said Worcester called the Uptown Farm Situated about a quarter of a Mile from the Meeting House said to contain about Two Hundred and Fifty Six Acres there was a large Farm House and Two

Barnes on the same and I think was well worth Twelve Hundred and Eighty Pounds.

I also know his Farm situated near the Court House in said Worcester called the Down Town Farm said to contain about Two Hundred Acres there was a large new Dwellinghouse compleatly finished Two Barnes and many other valuable Buildings on the same and in my opinion was worth Two Thousand Pounds

I also know his Farm Situated partly in Worcester aforesaid and partly in Leicester called the Chestnut Hill Farm said to contain about Three Hundred and Twenty Acres there was a good new Dwelling House a Barn a Cider Mill House and a large Orchard on the same and in my Opinion was worth Twelve Hundred and Eighty Pounds

I also know about twenty six Acres of Land which the said John Chandler owned Situated in that part of said Worcester called Tatnick it was extraordinary Pasture Land and well worth Five pounds Ten Shillings an Acre

And I the Deponent do further say that I have frequently been in Murray-Field in the County of Hampshire in the Massachusetts Bay aforesaid and am acquainted with the said John Chandler's Farm there said to contain about Four Hundred Acres there was a Farmhouse a large Barn a Saw Mill and an Orchard on the same and in my Opinion was worth seven Hundred Pounds.

I know the said John Chandler was a Proprietor in Murrayfield aforesaid and in Norwich in the County of Hampshire aforesaid and that he owned large Tracts of Land there and I think that unimproved Land in said Murray-field and Norwich was on an Average well worth Ten shillings an Acre

And I the Deponent do also further depose and say that all the said John Chandlers Estates before mentioned Situated in Worcester and Leicester aforesaid were under

good Improvement and well fenced chiefly with Stone Wall, and the said John Chandler was always reputed to be and I verily believe he was possessed of a very large independant Estate and that in the foregoing Valuation and Appraisement I have been governed by the Prises at which I think all the Estates aforesaid would have sold for in Gold or silver Money in the Year one Thousand seven Hundred and seventy Four and that the said valuation and Appraisement is made in sterling Money of Great Britain without Favour or partiality and according to my best Knowledge and Ability.

DAN^E MURRAY

Sworn before the Commissioners of }
American Claims at their Office }
Lincoln's Inn Fields August 17th }
1784 }

CHARLES MONRO

Ass^t Secretary

(Endorsed)

Daniel Murray^r.
affidavit on John Chandlers
Claim

[Number 60.]

At a Meeting of the Inhabitants of the Town of Worcester held there on the 20th Day of June A D 1774 pursuant to an application made to the Select-Men by forty three Voters and Freeholders of the same Town, dated the 20th Day of May last, therein among other things declaring their Just apprehensions of the fatal consequences that may follow the many riotous, & seditious actions that have of late times been done and perpetrated in divers places within the Province &c the Notes and proceedings of which Meeting we deem irregular and Arbitrary. —

Wherefore we, some of Us who were petitioners of the said Meeting and other Inhabitants of the Town hereunto subscribing: thinking it our indispensable Duty in these late days of licentiousness and distraction, in these times of disorder and confusion in too many of the Towns within this Province, to bear Testimony in the most open and unreserv'd manner, against all riotous, disorderly and Seditious practices; must therefore now declare, that it is with the deepest concern for publick peace and order, that we behold so many who we used to Esteem sober peaceable Men; so far deceiv'd deluded and led astray: by the artful crafty and insidious practices of some evil minded and ill dispos'd Persons who under the disguise of patriotism, and falsely stiling themselves the Friends of Liberty some of them neglecting their own business and Occupations, in which they ought to be employ'd for the Support of their Families spending their time in discoursing of Matters they do not understand, raising and propogating falsehoods and callumnies of those Men they look upon with Envy, and on whose fall and ruin they wish to rise, intending to reduce all things to a state of tumult, Disorder, and confusion. And in persuance of the evil purposes, and practices, they have imposed on the understandings of some, corrupted the principles of Others, and distracted the minds of many, who under the influence of this delusion have been tempted to act a part, that may prove, and has already prov'd extremely prejudicial to the Province: and as it may be fatal to themselves, bringing into real danger, and in many instances, destroying that liberty and property we all hold so Sacred, and which they vainly and imperiously boast of defending at the Expence of their blood and treasure. — And it appears to Us that many in this Town seem to be led aside by strange Oppinions, and are prevented coming to such prudent Votes and Resolutions, as might be for

the general good, and the advantage of this Town in particular, agreeable to the request of the petitioners of this Meeting — And as the Town has refus'd to dismiss the Persons stiling themselves the Committee of Correspondence for the Town and has also refus'd so much as to call on them, to Return an Account of their past dark and pernicious proceedings —

We therefore whose Names are hereunto Subscrib'd do each of Us declare and protest that it is our firm opinion that the Committies of Correspondence in the several Towns of this Province, being Creatures of Modern invention, and constituted as they be, are a publick greivance: having no legal foundation; Contriv'd by a Junto to serve particular Designs and purposes of their own; and that they, as they have been and are now, managed, in this Town are a Nuisance; and we fear that it is in a great Measure owing to the banefull Influence of such Committies that the Teas of Immence Value lately belonging to the East Company, were not long since, scandalously destroy'd in Boston; and that many other enormous acts of Violence and Oppression have been perpetrated, whereby the lives of many honest worthy Men have been endanger'd and their property destroy'd. — It is by these Committies also that papers have been lately Publish'd, and are now circulating through the Province inviting and Wickedly tempting all persons to sign them; fully implying if not expresly Denouncing the destruction of all that refuse to subscribe their unlawfull Combinations, tending directly to sedition civil War and Rebellion.

These and all such enormities we detest and abhor, and the authors of them we esteem Enemies of our King and Country, Violators of all Law and Civil Liberty; Malevolent Disturbers of the Peace of Society — Sub-

verters of the Establish'd Constitution an Enemies of
Mankind. —

William ^{his} Elder.	William Campbell,	John Chandler
Daniel Ward,	Sam ^l Moore	James Putnam,
John Walker,	Jn ^o Mower	Gardiner Chandler
Nath Adams,	Joseph Blair.	Daniel Boyden
Adam Walker,	Micah Johnson,	Jn ^o Curtis.
Jacob Stevens,	Edmund Heard	Thos ^l Baird.
Joshua Johnson	Tho ^s Beard Jun ^r	James Hart.
Isriel Stevens	Sam ^l Mower	Elisha Smith
Joseph Clark	Jacob Camberlain	Tyrus Rice
Isaac Barnerd	Sam ^l Bridge	Nahum Willard
Will ^m Paine	Andrew Duncan	Rufus Chandler
Thaddeus Chamberlain	James Goodwin	Palmer Goulding
John Chamberlain	Clark Chandler	David Moore
Will ^m Curtis	Isriel Jennison	James Heart Jun ^r
Abel Stowel	Nanthen Patch	Cornelius Stowell
Daniel Goulding	Sam ^l Mower Jun ^r	John Phillip
William Chandler	Isaac Moore	Sam ^l Brooks
		Isaac Willard

Worcester June 24 : 1774 A True Copy —

Exm^d P CLARK CHANDLER T Clerk —

(Endorsed)

A

Worcester Protest
Copy

[Number 61.]

Commonwealth of Massachusetts.—

To all whom it may Concern.



This may certify, That Joseph Wheeler Esq^r
is Register of Probate of Wills &c within &
for the County of Worcester in this Com-
monwealth Joseph Allen Esq^r of Worcester
is a Clerk of the Court of Common Pleas in
& for said County And Robert Breck Esq^r is

a Clerk of the Court of Common Pleas in & for the County of Hampshire in said Commonwealth — And that full Faith & Credit is & ought to be given to their several Acts & Attestations as on the annexed Papers, both in & out of Court.

In Testimony whereof I have caused the Public Seal of the Commonwealth of Massachusetts to be hereto affixed this Twenty third day of October A^o Dⁱ 1783 And in the Eighth Year of the Independence of the United States of America —

JOHN HANCOCK

By His Excellency's Command —

JOHN AVERY Sec^y

[Number 62.]

Worcester ss — The Commonwealth of Massachusetts
To the Sheriff or Marshal of our said County
of Worcester, his Under Sheriff or Deputy,
Greeting. —

L S.

Whereas We, before Our Justices of Our Inferiour Court of Common Pleas, holden for & within Our County of Worcester aforesaid, at Worcester, upon the second Tuesday of December last, by adjournment from the first Tuesday of the same Month, by a resolve of the Great & General Court, by the Consideration of Our said Inferiour Court recovered Judgment for Our Title & Possession of & in the several tracts or lots of land hereafter described ; late the Estate of John Chandler, late of Worcester aforesaid, Esq^r an Absentee, agreeable to the tenor & form, & by virtue of an Act of the Great & General Court intituled “An Act for confiscating the Estates of certain Persons commonly called Absentees.” —

Viz^t —

A tract of land lying about three miles Southwardly from the Meeting house in Royalston, containing by estimation two hundred acres, being lot N^o 26, & bounded Eastwardly on lot N^o 31. Southwardly partly on lot N^o 25, & partly on lot N^o 22 Westwardly on lot N^o 21. Northwardly partly on lot N^o 20. & partly on lot N^o 27. —

Also another tract of land situate about two miles & an half Southwardly from the Meeting house in Royalston aforesaid, containing by estimation two hundred acres, being lot N^o 52. & bounded as follows; beginning at the Northwest corner of the same by a stake & stones, & then running South on Thomas Fairweather's land to a stake & stones on Athol line; then East by Athol line to a stake & stones on land of the heirs of Nahum Greene; then North by said Greene's land to a stake & stones on Jonathan Sibley's land; then West by said Sibley's land to a stake of stones; then North on said Sibley's land to a stake of stones on Ebenezer Elliot's land; then West by said Elliot's land to the bounds first mentioned.

Also another tract of land lying in the Northeasterly part of said Royalston, about three miles & an half from the said Meeting house, containing by estimation two hundred acres, & being lot N^o 91. & bounded as follows. Beginning at the Northwest corner of said tract at a stake & stones on the old Province line; then running South by lot N^o 89 & lot N^o 88. & lot N^o 87 To a stake & stones on land of Michael French; then turning & running East by said French's land to a stake & stones; then turning & running North by land of Francis Chase & Jonas Thompson to the State line to a stake & stones; then Westwardly on the State line to the first mentioned bounds. —

Also another tract of land lying on the Northeast corner

of said Royalston, containing by estimation two hundred acres, being lot N^o 95. & bounded as follows — Beginning at a stake & stones on the Northeast corner of Pierpoint's farm, then running North on land of John Hancock, Esq; to a stake & stones on the State line; then Westwardly on the State line to a stake & stones to the corner of lot N^o 94; then running South by said Lot to a stake & stones on Pierpoint's farm; and then running East on said farm to the first mentioned bounds. —

Also another tract of land lying in a place called Royalston — Leg, being lot N^o 103. situate North from Winchendon Meeting house, about three miles & an half, containing by estimation two hundred acres, & bounded as follows, viz^t — Beginning at the Southwest corner at a stake & stones; then running East on Winchendon North line to a stake & stones, then turning & running North by lot N^o 104. to a stake & stones on the State line; then running West on the State line to a stake & stones; then turning & running South by lot N^o 102. to the first mentioned bounds. —

Also one ninth part of lot N^o 22. containing by Estimation two hundred acres. —

Also one ninth part of lot N^o 50. containing about ninety acres. —

Also one ninth part of Lot N^o 70 containing by estimation, two hundred acres —

All the abovesaid tracts of land lying in Royalston in the County aforesaid, & bounded as above respectively described & as the same may be bounded, plotted & recorded in the Proprietors book of Records in said Royalston, with all the privileges, appurtenances & easements to the Several tracts or lots of land belonging. As to Us hath been made to appear of Record. —

We Command you therefore, that, without delay, you cause Us to have possession of & in the before-

described tracts or lots of land, with all the privileges, appurtenances & easements to the same belonging —

Hereof fail not, & make return of this Writ, with your doings therein, unto Our said Inferiour Court of Common Pleas, to be holden at Worcester, upon the last Tuesday of March next. —

Witness Artemas Ward, Esquire, at Worcester, the twenty fourth day of January, in the year of our Lord Seventeen hundred & eighty one.

JOS. ALLEN, Cler.

Worcester ss.

February the 10th 1781.

By Virtue of the within Writ, I have delivered Possession of the lands, tenements & hereditaments within described, to Levi Lincoln, Esq; specially impowered & appointed by Robert T. Paine Esq^r Attorney-General of the Commonwealth, to receive the same. —

JONATHAN RICE, D^y Sheriff.

The foregoing is a true Copy of the original on file, examined this twentieth day of October, one thousand seven hundred & eighty three.

Att^o J. ALLEN, Cler.

(Endorsed)

Commonw vs. J Chandler Esq^r

Hab. fac. Possⁿ

Copy

[Number 63.]

Commonwealth of Massachusetts —

Hampshire ss At the Inferior Court of Common Pleas
holden at Northampton within and for the
County of Hampshire on the second Tuesday
of February being the thirteenth day of said
month & from day to day to the Nineteenth
Day of the same month in the Year of our
Lord One thousand seven hundred & eighty
one

Be it remembre'd that Robert Treat Paine Esq^r Attorney
General for the Commonwealth of Massachusetts, and in
their behalf complains of John Chandler late of Worces-
ter in the County of Worcester Esq^r and gives the Court
here to understand and be informed that the said John
Chandler since the Nineteenth day of April in the Year
of our Lord One thousand seven hundred and seventy
five, to wit, on the twentieth day of the same April being
an Inhabitant and Member of the late Province now
State of Massachusetts Bay, levied War and conspired to
levy War against the Government & People of the Pro-
vince Colony and State and then & there adhered to the
King of Great Britain his Fleets and Armies, Enemies
of the said Province Colony & State and then & there
did give to them Aid and Comfort; and the said John
Chandler Esq^r before the said Nineteenth day of April
in the Year of our Lord One thousand seven hundred
and seventy five and after the Arrival of Thomas Gage
Esq^r Commander in Chief of all his Brittannic Majesty's
Forces in North America at Boston the Metropolis of this
State Viz^t on the first day of October in the Year of our
Lord One thousand seven hundred and seventy four did
withdraw from Worcester aforesaid his usual Place of

Habitation within this State into the said Town of Boston with an Intention to seek & obtain the Protection of the said Thomas Gage and of the Forces then & there being under his Command — And the said John Chandler since the said nineteenth day of April Viz^t on the thirtieth day of March in the Year of our Lord One thousand seven hundred & seventy six without permission of the Legislative or Executive Authority of this or any other of the United States of America did withdraw himself from this Province Colony and State into Parts and Places under the acknowledged Authority and Dominion of the said King of Great Britain and into Parts and Places within the Limits of some of the said Provinces Colonies and United States being in the Actual Possession and under the Power of the Fleets and Armies of the said King Viz^t to Halifax in the Province of Nova Scotia and to New York in the Province Colony & State of New York, and the said John Chandler has not since returned into any of the said United States and been received as a Subject — And the said John Chandler by means of all & singular the Offences aforesaid hath freely renounced all civil & political Relation to each & every of the said United States and hath become an Alein — And the said Attorney General further alleges that the said John Chandler since the said Nineteenth Day of April aforesaid Viz^t on the twentieth day of the same April was seized & possessed and intituled to be seized & possessed of and to have & demand to his own Use the following Tracts Lots & Parcels of Land situate & lying in the County of Hampshire aforesaid — Viz^t The Lots numbred Nine, Thirteen, Fourteen, Fifteen, Thirty three, Fifty six, Fifty Nine, Eighty five, Eighty six, Ninety seven, Ninety eight & One hundred eleven, containing each of them One hundred Acres, and all in the first Division of Lots in the Town of Murrays-

field in the same County — Also the following Lots in the second Division of Lotts in said Murraysfield containing two hundred Acres each — Viz^t the Lots number'd Twenty One, twenty three, twenty four, Twenty six, Twenty seven, Thirty, Thirty One, Thirty three, Forty six, & Two hundred — Also the following Lots in the third Division of Lots in said Murraysfield Viz^t The Lot number'd Six containing One hundred & five Acres, the Lot number'd Seven containing Ninety five Acres, the Lot number'd Twenty containing One hundred Acres — Also three Interval Lots so called in the same Division containing about fifty Acres each and are marked in the Plan of the same Town O P Q. — Also the Lot number'd One containing about two hundred Acres lying in the second Division of Lands in Norwich in the same County and fifty four Acres and One hundred & five rods on the West End of Lot number'd Sixty four in the same Division and butted easterly on that part of the same Lot which was sold by Order of Court — Also One undivided fifth part of about two thousand Acres of Land lying in said Murraysfield and is bounded westerly on Lot N^o 48 northerly on Lots N^o 39 & 33. Easterly on Lots N^o 29. 30. 85. 86. & 87. Southerly on Interval Lots on the West Branch and a small part between Lots N^o 88, 6, 5 & 1. & John Boltons Grant in the said Town of Murraysfield in Common with the original Proprietors of the same Town — Also One undivided fifth part of the Grant of Land to the same Proprietors in Lieu of Ponds and Bridges containing about twelve hundred Acres and is adjoining to Cumington in Common with the said Proprietors, with their Appurtenances to him the said John Chandler and his Heirs — And the said Attorney General further alleges that by Force of the Premises and of the Law of this State intituled An Act for confiscating the Estates

of certain Persons commonly called Absentees, the above described Lands & Appurtenances ought to escheat inure and accrue to the sole Use and Benefit of the Commonwealth aforesaid and they accordingly ought to be in Possession thereof

Wherefore the said Attorney General in behalf of the Commonwealth aforesaid prays the Advice of the Court here in the Premises and due Process in this behalf to be made —

Whereupon it is consider'd & order'd that the foregoing Complaint now exhibited by Robert Treat Paine Esq^r Attorney General of the Commonwealth of Massachusetts be continued to the next Term, and that the Clerk of this Court do cause to be published in three of the public Papers a Schedule of the Lands &c set forth in said Complaint for three Weeks successively that all Persons claiming said Lands or any part thereof may enter their said Claims at the next Term of this Court the third Tuesday of May next after the Second Tuesday of February aforesaid —

At which Term Robert Treat Paine Esq^r Attorney General for the Commonwealth of Massachusetts, comes into Court further to prosecute the foregoing Complaint, and Proclamation agreeable to Law being now made to all Persons claiming the Lands aforesaid to enter their Claims &c — Thaddeus Newton of Murrays field aforesaid Yeoman by Simeon Strong Esq^r his Attorney comes into Court and claims to hold in Fee the Lot number'd Nine in the first Division in said Murrays field being One of the Lots of Land described in said Complaint, and the Court are thereupon pleased to order that said Complaint be further continued to the next Term the last Tuesday of August next after the said third Tuesday of May aforesaid —

At which said Term the said Rob. Treat Paine Esq^r

comes here on behalf of the Commonwealth aforesaid further to prosecute &c But Thaddeus Newton nor any other Person appearing at this Time to take upon himself the Defence of this Suit — Proclamation is therefore three several Times made to all Persons claiming the Estate or any the Lands described in the foregoing Complaint either in their own Right or on the part and behalf of the said John or of any Person whomsoever to come and defend the same Suit, and no Person appearing to take upon him the Defence of this Suit, it is by the Court therefore considered, that the said John is guilty in Manner as in the said Complaint is alledged against him and that the Lands described in the said Complaint with the Appurtenances are forfeited, and do escheat enure and accrue to the sole Use and Benefit of the Commonwealth of Massachusetts

Hampshire ss Oct^r 18. 1783. I do hereby certify
that the foregoing is a true Copy of
the Record —

Att^o ROB BRECK Cler —

[Number 64.]

Worcester ss — The Commonwealth of Massachusetts
To the Sheriff or Marshal of our said County
of Worcester, his Under Sheriff or Deputy,
Greeting

L S.

Whereas We, before our Justices of Our Inferiour Court of Common Pleas, holden for and within Our County of Worcester aforesaid, at Worcester, upon the second Tuesday of December last, by adjournment from the first Tuesday of the same Month by a resolve of the Great & General Court, by the Consideration of our said Inferiour Court, recovered Judgment for Our Title

& Possession of, & in, the lands, tenements & hereditaments hereafter described, late the estate of John Chandler, late of Worcester aforesaid, Esquire, an Absentee, agreeable to the tenor & form, & by virtue of an Act of the Great & General Court intitled "An Act for confiscating the Estates of certain persons commonly called Absentees."

Viz.

A tract of land situate about Thirty Rods Northeastwardly of the Meeting house in Worcester, containing by estimation about one Acre, more or less, & bounded as follows, viz. North-westerly, on the Country road — South-eastwardly, on Ministerial land — Southwestwardly, on the Town Common or road leading from said Meeting-house to the Town of Grafton; together with one large upright dwelling house, two barns, a Corn-barn, a large Store, & a Tenement formerly improved as an Office, as also other out buildings on the same standing.

Also another Tract of land situate about two miles from the Meeting-house aforesaid, South on the road leading from Worcester to the Town of Sutton, containing about two hundred Acres by estimation, more or less, commonly called, or known by the name of, the Mill farm, And bounded Westwardly on said road — Southwardly, partly on Gardiner Chandler's land, partly on Blackstone River & partly on Nathan Perry's land — Eastwardly, partly on said Perry's land, & partly on Joshua Whitney's land, as the Wall now stands, until it comes to the land belonging to the heirs of Tyrus Rice — Northwardly, partly on land belonging to the said Tyrus Rice, partly on Richard Pratt's land, partly on land belonging to the estate of James Putnam Esq^r. an Absentee, & partly on the land belonging to Absalom Rice & Jonathan Rice, & partly on land of Jonathan Grout until it comes to the road — Consisting of mowing, tillage, pastur-

ing, orcharding & wood land, with buildings thereon, consisting of one upright dwelling house & barn & other out buildings. —

Also, another tract of land situate about two miles South of the Meeting house aforesaid, & situate on the Westwardly side of said road leading from Worcester to Sutton, containing eight Acres by estimation, more or less, & bounded as follows, Northwardly on land of Jonathan Grout — Southwardly & Westwardly on land of Joshua Whitney & Gardiner Chandler — Eastwardly, on said road leading to Sutton; together with two Grist-Mills thereon standing. —

Also, tract of Wood land, situate about two miles North-eastwardly of the Court house, containing seventeen Acres by estimation, more or less, & bounded as follows — Eastwardly, on land belonging to the Widow Holbrook — Southwardly on Charles Adams's land — Northwardly & Westwardly on the Town land upon Mill-Stone Hill (so called)

Also, A tract of land, being a Cedar Swamp, situate about two miles and an half South westwardly from the Meeting House aforesaid, containing by estimation ten Acres, more or less, & bounded as follows, Eastwardly, Southwardly & Westwardly on Noah Jones's land & Northwardly on William Mahon's land. —

Also, a Tract of Pasture land, situate Northwestwardly From the Meeting house aforesaid near to Cap^t Micah Johnson's dwelling house, containing by estimation about sixty Acres, & bounded Northwardly on said Johnson's land, on Col^o Gardiner Chandler's land — Westwardly & Southwardly on William Young's land — & Eastwardly partly on said Young's land, partly on John Barnard's land, & partly on Joshua Symond's land —

Also, another tract of pasture land situate about three miles Northwestwardly from the Meeting house aforesaid,

near to Cap^t Samuel Mower's dwelling house, containing by estimation twenty five Acres more or less — and bounded Eastwardly on said Mower's land, Southwardly on Amos Wheeler's land — Westwardly on David Moore's land — and Northwardly on John Mower's land —

Also, Another tract of land situate about sixty rods South-westwardly from the Meeting-house aforesaid, on the Country road leading to Leicester, containing by estimation three hundred & ten Acres, more or less, and bounded as follows, viz — South-eastwardly, on the said Country road. South-westwardly on a road leading from the said Country road to Jacob Hemingway's dwelling house, commonly called Hemingway's road, as far as Beaver brook — & then turning & running Northwardly on beaver brook or said Hemingway's land until it comes to Joseph Blair's land — And then running Eastwardly on said Blair's land until it comes to Jennison Sterne's land, & running Eastwardly on said Sterne's land, until it comes to a Corner in said Sterne's land & then running Northwardly on said Sterne's land until it comes to Tatnick road — and then running Eastwardly on said road until it comes to Gardiner Chandler's land — and then running Southwardly on said Gardiner Chandler's land, until it comes to a corner in said Chandler's land — & then running Eastwardly on said Gardiner Chandler's land, until it comes to another corner in said Gardiner Chandler's land — and then turning & running Southwardly on said Gardiner Chandler's land, until it comes to another corner in said Gardiner Chandler's land — and then turning & running Eastwardly on said Gardiner Chandler's land until it comes to William Johnson's land — and then turning & running South-eastwardly on said Johnson's land until it comes to the land belonging to the heirs Of James Brown late of said Worcester — Then turning & running Southwardly on said Heir's land to a corner of

the said land — then turning & running Eastwardly on said Heir's land until it comes to the Country road afore-said — Together with one two storied dwelling house & two barns standing thereon — About one hundred & fifty acres being under improvement & consisting of pasturing, mowing, tillage & orcharding; & the rest wood land.

Also, another tract of land lying Southwardly of the said Hemingway's road, & containing, by estimation, about twenty acres, & bounded as follows, viz. Northwardly on said road — Eastwardly, partly on land of Ezra Jones, & partly on land belonging to the heirs of Zebediah Rice — Southwardly on Gardiner Chandler's land — Westwardly on Cap^t Ebenezer Lovett's land — About four Acres being under improvement; & consisting of pasturing & orcharding, & the rest Wood land. —

Also, another tract of land, the Westwardly corner of which being situate about thirty rods East of the Court house in said Worcester, containing by estimation One hundred & ninety five acres, more or less, & bounded as follows, viz— Westwardly & Northwardly, on the Country road — Northwardly & Westwardly on land of Timothy Paine Esq^r — Northwardly on land of the Honorable John Hancock Esq^r — Eastwardly on land of Charles Adams — South-eastwardly, partly on land of Thomas Wheeler, partly on land of Stephen Salisbury, & partly on land belonging to the estate of James Putnam Esq^r an Absentee — Southwardly, on Gardiner Chandler's land — Westwardly & Southwardly on the land belonging to Daniel Heywood — and Westwardly, by various lines, partly on land belonging to the heirs of Abel Heywood, partly on Joseph Lynde's land, & partly on Col^o Timothy Bigelow's land until it comes to the Country road afore-said — Consisting of mowing, ploughing, pasturing, orcharding & wood land, together with one large two storied dwelling house, one large barn, a Corn barn, a tenement

formerly improved as an Office — another tenement now improved as a Tailor's shop, & other out buildings all standing on the said tract of land — All the abovementioned tracts of land lying in Worcester aforesaid bounded as above respectively described, & as the same may be bounded according to his right & title thereto. —

Also another tract of land, lying partly in said Worcester, & partly in Leicester in the County of Worcester, situate about three miles from the Meeting house in said Worcester, containing by estimation about three hundred Acres, more or less, & bounded as follows, viz. Beginning at the North-westwardly corner of Noah Jones's homestead, & running westwardly on the Country road until it comes to the Leicester line: And then turning & running Southwardly on Nathan Sargeant's land, it being the Western line of Worcester — & then turning, & running into Leicester Westerly on said Nathan Sargeant's land until it comes to Robert Henry's land — And then turning & running Southwardly on Robert Henry's land until it comes to land belonging to the heirs of Thomas Denny, late of said Leicester — Then turning & running Eastwardly on land belonging to the heirs of the said Thomas Denny; & then turning & running Southwardly on said Heir's land, & then turning & running Eastwardly until it strikes the Town line; & then turning & running Northwardly on the land of the said heirs; & then turning & running Eastwardly on land of John Griggs — and then turning & running Northwardly partly on said Griggs's land & partly on Jonathan Phillips's land until it comes to the Town road — And then running Westwardly on said Noah Jones's land, & then turning & running Northwardly on said Noah Jones's land to the first mentioned bounds — Consisting of mowing, tillage, pasturing, orcharding & wood land; together with one upright dwelling house & barn standing on the same. —

Also two third parts of two hundred Acres of land lying Partly in Oxford & partly in Charlton, both in the County of Worcester, in common, & undivided, with one Benjamin Rich : Said two hundred Acres being bounded as follows, viz. Southwardly, on Cox's land, so called, Westwardly on John Stephens's land, being Lot N^o 5. Northwardly on Thompson's land, so called, — & Eastwardly on said Stephens's land — Consisting of mowing, ploughing, pasturing, orcharding & wood land, with one old Mansion house & old barn standing on the same. —

Also, a Pew in the aforesaid Worcester Meeting house, situate on the lower floor of the same, & adjoining to the North end of the pew of Timothy Paine Esq^r & being the second walled pew North of the front door. —

Also, another Pew in said Meeting house, situate on the lower floor, & in the South-westwardly corner of said Meeting house, & adjoining to the South side of the pew now improved by Col^o Thomas Wheeler, & the West side of the Pew now or lately improved by one Noyes.

Also, another Pew, situate on the lower floor of said Meeting house, being the second wall pew West of the South door, adjoining to the East end of the Pew improved, or lately improved, by said Noyes, & the West end of the Pew occupied by Chapin & others. —

Also, three fifths of another pew, situate on the lower floor of said Meeting house, being the wall pew adjoining to the North side of the Pulpit & to the South side of the Pew possessed by Daniel Heywood & others — With all the privileges, appurtenances & easements to each & every of the above described tracts of land, to each & every of the buildings aforesaid, & to the said several pews belonging, as to Us hath been made to appear of record. —

We command you Therefore, that, without delay, you cause us to have possession of, & in, the lands, tenements & hereditaments aforesaid, with all the Privileges, appur-

tenances & easements to each & every of them belonging. — Hereof fail not; & make return of this Writ with your doings therein unto our said Inferiour Court of Common Pleas; to be holden at Worcester, upon the last Tuesday of March next. —

Witness Artemas Ward, Esquire, at Worcester, the twenty fourth day of January, in the year of our Lord Seventeen hundred & eighty one. —

JOS. ALLEN, Cler.

Worcester ss. February the 21st 1781. By virtue of the within Writ, I have delivered possession of the lands, tenements & hereditaments within described to Levi Lincoln, Esquire, specially impowered & appointed by Rob^t T. Paine Esquire, Attorney General of the Commonwealth, to receive the same. —

JONATHAN RICE, D^y Sheriff

The foregoing, containing seven pages, is a true copy of the Original on file, Examined this twentieth day of October One thousand seven hundred & eighty three.

Att^o J. ALLEN, Cler.

(Endorsed)

Commonw. vs. J. Chandler Esq^r

Hab. fac. Possⁿ

Copy

[Number 65.]

[Appointment of Appraisers for the Worcester property. Same as No. 3, probate files, except that it does not contain the appraisers' return.]

[Number 66.]

An Inventory of the Personal Estate belonging to John Chandler Esq^r Late of Worcester — Shewn to us by the

Agent for said Estate which we have Apprized at the sums following — [What follows is substantially the same as No. 11, probate files, but does not contain the agent's oath.]

[Number 67.]

[Appointment of appraisers for the Leominster property. Same as No. 5, probate files.]

[Number 68.]

[Appointment of Appraisers for the Royalston property. Same as No. 6, probate files. The appraisal which follows is the same as No. 8, probate files.]

[Number 69.]

[Appointment of Appraisers for the Murrayfield property. Same as No. 4, probate files.]

[Number 70.]

[Return of the Murrayfield appraisers. Same as No. 9, probate files.]

[Number 71.]

[Oath of Agent. Same as oath in No. 11, probate files.]

[Number 72.]

The forgoing Containing Eleven pages is a true Copy from the Originals on file of the Inventories of the Real & personal Estate of John Chandler Esq^r late of Worcester an Absentee. Exam^d this twenty first Day of October One Thousand seven Hundred and Eighty three —

Attest JOS: WHEELER Reg^r

[Number 73.]

[Judgment Record, Confiscation Suit. Same as Number 31, the record heretofore given, of the Inferior Court of Common Pleas in the Royalston suit.]

[Number 74.]

[Judgment Record, Confiscation Suit. Same as Number 32, the record heretofore given, of the Inferior Court of Common Pleas in the Worcester Suit.]

[Number 75.]

[The duplicates mentioned below are numbers 64, 62, and 63.]

(Transcriber's Note.)

(Three papers sewn together with silk thread are found on examination to be :

(1) Duplicate of Writ, pages 153 to 174, with the exception that this copy bears at the end the following : —)

“ Worcester Aug^t 26 1783

“ Having Carefully Searched the Records of Deeds
 “ for the within Mentioned County of Worcester, I
 “ do not finde that the within Named John Chandler
 “ Esq^r hath Ever made Conveyance of the Lands
 “ within Mentioned, or any part of them —

“ Attest NATHAN BALDWIN Reg^r.”

(2) Writ same as pages 129 to 138 with the exception of the same certificate as above.)

(3) Judgment same as pages 139 to 151, but with some of the superfluous wording curtailed, and endorsed “ Commonwealth vs John Chandler Esq^r Judgment Copy 4/.)

[Number 76.]

I Certify that in the Division of the town of Murrayfield in the County of Hamshire in New England, Among the Proprietors; whereof the Hon^{ble} John Chandler Esq^r now an Absentee was one, the following Lotts fell to the Right of the said John Chandler as they appear now upon Record upon the Proprietors Records now with me —

first Division	N ^o	Acres	Rods
Viz ^t drawn, 1 Oc ^t 1763	5 . .	102 . .	80 . .
	9 . .	102 . .	80 . .
	14 . .	102 . .	80 . .
	20 . .	102 . .	80 . .
	24 . .	102 . .	80 . .
	28 . .	102 . .	80 . .
	59 . .	102 . .	80 . .
	98 . .	100 . .	. . .
	85 . .	100 . .	. . .
	95 . .	100 . .	. . .
	97 . .	100 . .	. . .
	111 . .	100 . .	. . .
the Second Division drawn 12 Dec ^r 1764	N ^o 1 . .	247 . .	. . .
	23 . .	200 . .	. . .
	24 . .	200 . .	. . .
	20 . .	200 . .	. . .
	27 . .	153 . .	. . .

	Letter	Acres	Rods
Intervail Lotts	O . .	50	
	P . .	50	
	Q . .	50	
	N ^o 31 . .	203	
	33 . .	200	
	30 . .	200	
	46 . .	200	
	52 . .	205	
	64 . .	200	
	71 . .	200	
<hr/>			
third Division drawn 2 ^d Oct 1771	6 . .	100	
	20 . .	100	
	7 . .	95	

his share in the
undivided lands
being a 5th Part

NB. the Town of Murrayfeild }
being divided into two Towns — }
part of the above Lands lye in }
that Part called Norwich }

Worcester, Oct. 29 - 1783

Att^o TIM^o PAINE Pro^s Cler.

[Number 77.]

Hampshire ss I Certify that I have made diligent
Search in the Records of Deeds for said County of Hamp-
shire and Cannot find any Conveyance of any Lands
from John Chandler Esquire late of Worcester lying in
the Town of Murrayfield except the lot N^o 92 to Abraham
Fleming containing 100 acres and the lot N^o 66 to Tim^o

Paine Esq^s containing 102 acres and the Lot N^o 17 to
Caleb Bascom Containing 100 acres and the Lot N^o 51 to
Thomas Elder and Contains 100 acres

Att: W^M PYNCHON Reg^r

Hampshire ss Oct^r. 31 1783

(*Endorsed*)

Proprietors Clerk
of Murraysfield
Certificate —

& Certificate from y^e Register
of Deeds for y^e County of
Hampshire

[Number 78.]

I hereby Certify that in the Records of deeds for the
County of Hampshire I find upon said records the follow-
ing Conveyances of Lands made to John Chandler Esquire
Lying and being in the Town of Murrayfield in s^d County
viz

One from Tim^o Paine Esq^r and others of a Lot of land
containing one Hundred acres being N^o 56 also

One from Jesse Johnson being N^o 98 & contains 100
acres

One from Abijah Willard Esq^r being Lot 32 Contains
102^a.

One Mortgage from David Gilmore of Lot N^o 10 and Con-
tains 102 acres & 80 rd. also

One from Abner Smith of Lot N^o 20 & contains 100
acres

One from John Hannum of lot N^o 15 contains 100 acres

One from David Gilmore of the westerly half of lot N^o 10

One from John Crawford of the lot N^o 66 contains 102
acres

Hampshire ss October 31 1783 Att: W^M PYNCHON Reg^r

(Endorsed)

M^r Pinchon
Certificate

[Number 79.]

Commonwealth of }
Massachusetts }

Nov^r 4. 1783

Know all men by these presents that we the Subscribers being appointed Commissioners by y^e General Court of this Commonwealth to Sell and dispose of All the Real & Personal Estate of Persons commonly called Absentees lying within the County of Worcester do hereby Certify to all whom it may Concern that the whole of the Real & Personal Estate belonging to Jn^o Chandler Esq^r late of Worcester & County Aforesaid An Absentee lying within the Town & County Aforesaid except that part which lyeth in Royalston & also the third part which was allowed the Wife of the s^d John for her support & maintenance during her natural Life have been sold agreeable to the Laws of the Commonwealth

CALEB AMMIDOWN } Committee for
JOHN FESSENDEN } Said County

(Endorsed)

Certificate of y^e Sale
of County of Worcester
Estate

[Number 80.]

S^r

I herewith Inclose a Certificate (N^o 1) of the Sale of my Estate situated in Royalston and Winchendon which in my Schedule is discribed by N^o 13 so that you now have Certificates of the Sale of all my Estate, Except that part Set of to my late wife for her Dower which is

thus discribed in my Schedule viz^t N^o 1, N^o 5, N^o 6, N^o 9, N^o 3 part of N^o 12 and also ten Acres of Land part of N^o 7 and is particularly ascertained by the In- closed Certificate (N^o 2) this part of my Estate altho actually Confiscated has never yet been Sold and I am In- formed that the Legislature of Massachusetts have given the Improvement of it to the Children I left in that Country for the Term of two years commencing some time last spring

I have the Honor to be

S^r Your most Humble Serv^t

JOHN CHANDLER

N^o 10 Paddington Street
High Street Octo^r 11: 1785

John Forster Esq^r

(Addressed) John Forster Esq^r

(Endorsed) M^r John Chandler —

Mem — to look thro'
the Evidence & Dec^r
on this Case —



[Black wax seal.]

[Number 81.]

Commonwealth of Massachusetts —

To all whom it may concern



This may certify that Caleb Ammidon Esq^r is one of the Committee appointed to sell Absentees Estates in the County of Worcester in this Commonwealth And that faith & Credit is & ought to be given to his Acts & Attestations in that Capacity both in & out of Court.

In Testimony whereof I have caused the Public Seal of the Commonwealth of Massachusetts to be hereto af- fixed this twenty ninth day of June A^o Dⁱ 1785, in the

Ninth Year of the Independence of the United States of America.

JAMES BOWDOIN

Governor of the Commonwealth
of Massachusetts

By His Excellency's Command —

JOHN AVERY jun^r Secretary —

[Number 82.]

Commonwealth }
of Massachusetts }

June 18th 1785 —

These are to certify to all whom it may concern, that that part of the Estate belonging to John Chandler Esq^r late of Worcester an Absentee, lying in Royalston & Winchendon in the County of Worcester has been sold at public Auction agreeable to an order from the Government & that the amount of the Sales was four hundred & forty five Pounds sixteen shillings & Eight pence Lawful Silver money —

CALEB AMMIDOWN } Pr order
 } of the
 } Committee

(*Endorsed*)

N^o 1 — Certificate of the
Sale of John Chandler,s Estate
situated in Royalston and
Winchendon

[Number 83.]

[Report of committee appointed to set off dower and decree of court — same as No. 16, probate files.]

[Number 84.]

Sir

On the 11th of October I left a Letter at your office, Inclosing a Certificate (N^o 1) of the Sale of my Estate Situated in Royalstone and Winchendon, which in my Schedule is discribed by N^o 13. so that you now have certificates of the Sale of all my Estate, except the part set of to my late wife for her dower, which is thus discribed in my Schedule Viz^t N^o 1 — N^o 5 — N^o 6 — N^o 9 — N^o 3 — part of N^o 12 — and also ten acres of land part of N^o 7 and is particularly ascertained by Certificate (N^o 2) which I at the Same time Inclosed, this part of my Estate though actually Confiscated has not been Sold and I am Informed that the Legislature of Massachusetts have Given the Improvement of it to the Children I left in that Country for the Term of two years commencing some time last Spring. and being this particularly Situated if a Certificate of the Sale of it is required I must finally loose this valuable part of my Estate. —

As I had my hearing before the Commissioners in March last, and was not Included in the report, I suppose Some evidence was necessary that had not been produced at my hearing, and I am anxious to know Whether the Certificates before mentioned (inclosed in my letter of the 11th of October) are Satisfactory, or whether any further evidence is required, and shall be very much obliged to you Sir for any Information you can give me Concerning this business —

I have the Honor to be

S^t your most Humble Serv^t

JOHN CHANDLER

N^o 10 Paddington Street
High Street Nov^r 10 : 1785.

John Forster Esq^r

*(Endorsed)*Nov: 10th 1786

443

John Chandler

relates to the Confiscation

of his Property &c

Received since the hearing

*(Addressed)*John Forster Esq^r

Secretary to the Commissioners

of American Claims

[Number 85.]

S^r:

I Inclose three Certificates lately received from America, they ascertain that part of my Estate which has actually been sold, and also that part which still remains unsold, If you compare these Certificates with my Schedule you will find that the part which remains unsold is thus discribed there, viz^t N^o 1. N^o 5. N^o 6. N^o 9. N^o 3. part of N^o 12 and also ten acres part of N^o 7, and I am Informed that the Legislature of the Massachusetts have granted the Improvement of this unsold part of my Estate to the Children I left in that Country for the term of two years commencing some time last Spring, which I beleive was mentioned in a Letter I Troubled you with last Autumn, And altho I Expect this part of my Estate which remains unsold will be finally lost to my family the same being actually Confiscated, yet I do not wish my affairs to remain unfinished for the purpose of haveing my Claim open in order to be Compensated for the Same when Sold, for I am an old man and wish to know the fate of my Claim — I have to request S^r that you will lay these Certificates before the Board of Commissioners; and as I never Expect to procure any further Evidence

Concerning my Losses, I flatter my Self that what I have produced will be Satisfactory, and that I shall be Included in the next report —

I have the Honor to be

S^r your most Humble Serv^t

JOHN CHANDLER

N^o 20 Winchester Row

Feb 28 : 1786 —

John Forster Esq^r Secr &^o

(Addressed)

John Forster Esq^r Secretary

To the Commissioners on the American Claims —

(Endorsed)

28. Feb. 1786

443

Mr John Chandler

Inclosing add^d Certif^s

of Confiscⁿ & Sale

received since the hearing of the Claim —

[Number 86.]

Commonwealth of Massachusetts —

To all whom it may concern



This may certify That, John Fessenden and John Warner Esq^{rs} are a Major Part of the Committee for the Sale of the Estates of Absentees for the County of Worcester, and that John Kirkland Esq^r and Mr^r Benjamin Bonney are a Major Part of the Committee for the sale of the Estates of Absentees in the County of Hampshire, appointed by the General Court of this Commonwealth —

And that full Faith and Credit is & ought to
be given to their Acts & Attestations as on
the annexed Papers both in & out of Court —

In Testimony whereof I have caused the public seal of
the said Commonwealth to be hereto affixed this third
day of January A^o Dⁱ 1786 in the Tenth Year of the
Independence of the United States of America —

JAMES BOWDOIN

Governor of the Commonwealth

By His Excellency's Command of Massachusetts

JOHN AVERY jun^r Secretary

[Number 87.]

Worcester ss

Commonwealth of Massachusetts

Dec^r 27th AD 1785 —

To whom it may concern —

We the Subscribers being duly appointed by the general Assembly of the Commonwealth aforesaid a Committee for the purpose of selling confiscated Estates in the County of Worcester within the same Commonwealth — Do hereby certify, that all the real Estate belonging to the Hon^{ble} John Chandler Esquire, late of Worcester in the County of Worcester an Absentee, aforesaid . . which was confiscated. has been sold for the Use of the Government, excepting, the said John's late Mansion House, with the Stores, Gardens &c near the meeting house in said Worcester, the said Johns Farm &c. near the Court House with his two pastures on a place called Tatnick Hill, seventeen Acres of Woodland, near Charles Adams's, ten Acres of the Up town Farm so called, and one pew in the meeting house, the afores^d Tenements, Estate &c, were assignd to the late Mary

Chandler de^d the then wife of the said John, for her
maintainance & Support

JOHN FESSENDEN	{	Commissioners for the purpose
JON ^A WARNER		of selling Confiscated Estates —
		within y ^e Commonwealth
		of Massachusetts —

[Number 88.]

Commonwealth of }
Massachusetts Bay }

Norwich Nov^r 1783

We the Subscribers two of the Committee appointed
by the General Court for selling Confiscated Estates lying
in the County of Hampshire belonging to Absentees —
Do hereby Certify that all the Real Estate lying in the
County Aforesaid belonging to John Chandler Esq^r late
of Worcester in the County of Worcester an Absentee
that has been Confiscated was sold agreeable to the Laws
of s^d Commonwealth

John Kirkland	{	Committee of
Benja Bonney		Confiscated Estates
		for the County
		of Hampshire

(Endorsed)

Certificate of the
Sale of the Real
Estate of

John Chandler —

[Number 89.]

[Duplicate of the foregoing certificate of Kirkland and Bon-
ney, not here transcribed. It is dated 3 November 1783.]

[Number 90.]

TO THE HONOURABLE COMMISSIONERS
appointed by act of Parliament for inquiring into the
Losses and Services of the American Loyalists.

The memorial of John Chandler formerly of Worcester in the Province of the Massachusetts Bay, but now of his majestys Province of Nova Scotia.

Humbly Sheweth

That on the twenty fifth day of July last he obtained permission from your Honourable board to receive his allowance for Temporary Support by his Agent during his absence from Great Britain for twelve months, and as he was then Informed that the Same would cease at the expiration of that period unless application should be made for a renewal of that permission, to be accompanied with an account of your memorialists Situation, he Begs leave to State to your Honourable board that he arrived in the Province of Nova Scotia in November last and has remained there ever Since.

That being an old man aged more than Sixty Six Years he did not leave England with any Intention of doing Business and wishes to remain in Nova Scotia only for the purpose of being with his Children haveing two Sons in that province and a Daughter maryed to a M^r Putnam of New Brunswick.

That one of his Sons who faithfully Served his majesty in the Quarter Master General Department Several Years during the American War, is now so Infirm, as to be incapable of doing any Business, and haveing no property, or any allowance from Government, depends wholly on your memorialist for his Subsistance, and your memorialist haveing no other means of Support than he had when

he left Great Britain, and this Country being much more Expensive than that, He Humbly Prays that his allowance for Temporary Support may be continued to him and that the Same may be paid to his Agent

JOHN CHANDLER

Halifax Nova Scotia

May 1: 1787 —

(Endorsed)

Mass.

John Chandler
memorial for Continuance
of his Allowance

P M: Rogers
Nº 23 Charlotte Street
Portland Place —

will attend on Thursday 12th July 1787
at 2 O'Clock —

July 13th

Leave to 10. Oct. 1788

[Number 91.]

Annapolis Royal August 30: 1788

Sir

Having received yours of the 27th of June last inclosing an account from the Massachusetts of the demands that have been Set up and allowed by that State against my Estate, to the amount of three Thousand and twenty Six pound ten shillings and Six pence half penny Lawful mony and requiring me to Transmit upon oath an Explanation of the Said account, Stating particularly whether any and which of the said demands were Justly due either in the whole or in part and to what extent, I now forward the Enclosed Affidavit and accounts annexed to it, which altogether contains the most particular and best account of that business that I can possibly give, and I request

you will have the Goodness to lay the Same before the
Honourable Commissioners —

I have the Honour to be

S^r Your most obedient and
most Humble Serv^t

JOHN CHANDLER

CHARLES MUNRO Esq^r

(*Endorsed*)

Aug^t 30th 1788

John Chandler

Transmitting affid^t
relative to Incumbrances

[Number 92.]¹

John Chandler an American Loyalist formerly of Worcester In the County of Worcester in the Province of Massachusetts Bay, But now of Annapolis Royal in the County of Annapolis in the Province of Nova Scotia Esq^r maketh oath and Saith that the paper writing hereunto annexed Marked Exhibit N^o 1. is a true Copy of an Account which came to this Deponant Inclosed in a letter Signed Charles Munro dated American Office Lincolns Inn Field June 27^t 1788 — and this Deponant further Saith that he verily beleives that the paper writing here unto annexed marked Exhibit N^o 2. Contains a true account of the demands that have been allowed by the Judge of Probate for the County of Worcester in the State of Massachusetts Bay against the Estate of this deponant, amounting in the whole to three Thousand and twenty Six pound ten shillings and Sixpence half penny of Lawful mony — And this deponant further Saith that he verily beleives

¹ With the exception of the certificate by Winniett on the following page, this set (pages 317 to 335) [Nos. 92-95 inclusive] is in John Chandler's own hand.

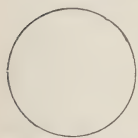
the paper writing hereunto annexed marked Exhibit N^o 3 and signed John Chandler, contains a true account of all the Demands Justly due from this deponant to the Several Claimants named in the paper Writings hereunto annexed marked N^o 1 and N^o 2 amounting to two Thousand one Hundred and thirty seven pound seventeen shillings & ten pence half penny of Lawful mony Including Interest as allowed, and that the Said Paper Writing marked Exhibit N^o 3 also Contains a true and the best and most particular Explanation which this deponant can give of the Several Claims and demands Stated in the Said paper Writings marked Exhibit N^o 1 and Exhibit N^o 2 and this Deponant verily beleives that he was not Indebted to the said Claimants named in the Said paper Writings marked Exhibit N^o 1 & Exhibit N^o 2 to a greater amount than the Said Sum of two Thousand one Hundred and thirty Seven pound Seventeen Shillings and ten pence half penny or any other wise than is mentioned in the said paper Writing marked Exhibit N^o 3.

JOHN CHANDLER

Province of Nova Scotia }

Annapolis ss

} Sworn by the above named



[Paper seal over
wafer. No impres-
sion.]

John Chandler at Annapolis Royal in said County of Annapolis this thirtieth day of August in the Year of our Lord one thousand seven hundred and Eighty Eight, before me Joseph Winniett Esquire one of his Majestys Justices of the Peace in and for said County, and first Justice of the Court of Common Pleas in and for the same County, In Testimony whereof I have hereunto set my Name and affixed the Seal of Said Court.

JOS^H WINNIETT

[Number 93.]

Exhibit N^o 1D^r The Estate of John Chandler of Worcester —
1782

January 5	To Warrant on the Treasury in favour of John Cunningham for	36- 7-10
Octo ^r 3 ^d 1784	Daniel Bancraft	14- 8-11
Feb ^u 14 1786	Nath ^l Heywood	3-11- 0
June 28	Martha Green	591- 0- 0
	Sarah Green	42- 2 -6
Nov 6	Gardner Williams	47-15- 0
	Additional Claims £1046-12- 5	In Consequence
	Amount of Claims 1979-18- 1 $\frac{1}{2}$	
		<hr/> 3026-10- 6 $\frac{1}{2}$

County of Worcester an Absentee

C^r

By proceeds of Sale of Said Estate

In the County of Worcester	2495-18- 3
----- D ^r Hampshire . .	1309- 8- 2
paid by the agent as amount of Personal Estate	156- 2- 2
	<hr/> 3961- 8- 7
Deduct for Charges of Sale	216-11- 8
	<hr/> £3744-16-11

of Resolve of March 1782

True Copy Attest

JOHN AVERY Jun^r Secr^y

[Number 94.]

Exhibit } Contains an account of the demands that have
 N° 2 } been allowed by the Judge of Probate for the
 County of Worcester in the State of Massachusetts Bay against the Estate of John Chandler an American Loyalist formerly of Worcester in the County of Worcester in the Province of the Massachusetts Bay amounting in the whole to £3026-10-6½ Copied from an account thereof which the said John Chandler has received from the Massachusetts Bay — viz^t

To Jonathan Gates Jun ^r of Worcester on account	£5-12- 0
Nathaniel Heywood of Shrewsbury on account	3-11- -
John Fisk of Worcester on note	14- 3- -
Phillip Donehen on account	16- 0
William Trowbridge of Worcester on account	1-14- 2
Edmund Heard of Lancaster on account .	1- 5- 8
James Loyd of Boston on account . . .	1- 3- 0
Benjamin Greene & Son of Boston on account against John and Clark Chandler being one half of the amount	576-14- 0
Benjamin Greene Executor to Rufus Greens Estate of Boston on Bond being one half of the Bond due to said Estate from John & Clark Chandler	392- 6-10½
Thomas Fairweather Esq ^r of Cambridge Executor to Mary Hubbard of Boston on a bond	135- 5- -
George Bethune Little Cambridge on bond	276- 0- -
Daniel Bancraft of Salem on account . .	14-18-11
To Benj ^s Green & Son of Boston on note & account	422-19- 2-

Robert Smith of Murrayfield on acc ^t . . .	30- - -
Mary Chandler of Worcester on account . . .	103- 9- 4
<hr/>	
Total amount of Demands allowed the 7 th day of May 1782 Interest Computed to the first of January 1782	£1979-18- 11½
<hr/>	
Benjamin Greene	240-11- 9
Martha Greene Principal and Interest up to the 6 th of April 1782	591- - -
Sarah Greene principal & Interest up to the 26 th of March 1781	42- 2- 6
Gardiner Williams Principal & Interest up to May 1783	47-15- 0
Charles & Sam ^l Chandler Principal & In- terest up to May 1783	125- 3- 2
<hr/>	
Total Amount of Demands allowed the 7 th of October 1783	£1046-12- 5
Amount of Demands allowed the 7 th of May 1782 — Brought down	1979-18- 11½
<hr/>	
Total Amount of Demands set up & allowed	£3026-10- 6½
<hr/>	

[Number 95.]

Exhibit } Contains a true and particular account of the
 N^o 3 } Demands Justly due from John Chandler an
 American Loyalist formerly of Worcester in
 the County of Worcester in the Province of Massachu-
 setts Bay, to the Several Claimants named in the papers
 herewith Exhibited Marked Exhibit N^o 1 and Exhibit
 N^o 2 amounting to two Thousand One Hundred thirty
 Seven pound Seventeen shillings and ten pence half
 penny of Lawful mony Including Interest as allowed, and
 also the best Explanation the said John Chandler can give
 of the Several Claims and Demands Stated in the said
 papers marked Exhibit N^o 1 and Exhibit N^o 2 — viz^t

To Nathaniel Heywood on account . . .	£3-11- 0
John Fisk on a note	14- 3- 0
James Loyd of Boston	1- 3- 0
Benjamin Greene and Son on account . .	576-14- 0
Benjamin Greene as Executor of Rufus Greene deceased on a Bond	392- 6-10 $\frac{1}{2}$
Thomas Fairweather as Executor to Mary Hubbard Deceased on a Bond . . .	135- 5- 0
George Bethune on a Bond	276- - -
I Signed this Bond with one William Thompson it was for a Debt he owed M ^r Bethune when I fled from home Thompson was considered a man of Property, I am Informed that he has Since died Insolvent, So that I have lost this mony in Consequence of the War, for if I had remained in the Mas- sachusetts I could have Secured the Same	
To Benjamin Greene about	100- - -
on account of a note of hand Signed by Phinehas Lovet which I had from M ^r Greene during the Blockade of Boston, I received the mony due thereon from Lovet and was obliged to Expend the same for my Support before I went to England in the Year 1776 and Suppose it is included in the Second Demand made by Benjamin Greene and Son amounting to £422-19-2	
To Martha Greene on a note	591- 0- 0
To Gardiner Williams	47-15- 0

Total amount of Claims which John

Chandler allows to be Just . . . £2137-17-10 $\frac{1}{2}$

I the Said John Chandler do not recollect or know any thing about the Claims which by the Papers herewith Exhibited, marked Exhibit N^o 1 and Exhibit N^o 2 appear to have been set up by and allowed to the following Persons, to wit Jonathan Gates Jun^r, Phillip Donhen, William Trowbridge, Edmund Heard, Daniel Bancraft, Robert Smith, and John Cunningham, and verily beleive I did not owe the Same or any part thereof — Mary Chandler was my Wife and Charles and Samuel Chandler were my Sons, and both Boys when I Left home so that the Claims set up by them must have been for the Support of my Family after I fled from home — I formerly owed Sarah Greene about twenty nine pound and am Satisfied in my own mind that I paid the Same in the Year 1774. and therefore verily beleive that the Claim set up and allowed to the said Sarah as appears by the Paper herewith Exhibited marked Exhibit N^o 2 amounting to £42-2-6 was not due or any part thereof —

About Six or Eight Years before I fled from home M^r Benjamin Greene Shiped for me a Quantity of Pot Ashes for London, which I positively ordered to be sold for Cash, and M^r Greene's agent in London Sent him an account of the Sales thereof and made a Charge of five per Cent for Prompt pay, but afterwards he Informed M^r Greene that altho he had Credited him for the Pot Ashes as if sold for ready mony that he was in fact obliged to sell it upon the Usual Credit, and to a person who had Since failed and paid only about ten shillings upon the Pound to his Creditors, and Charged M^r Greene for the loss, who proposed that I should allow the Same to him which I refused to do, and Said that as his agent had Sold it Contarary to orders and had Actually Charged five per cent as allowed for Prompt pay, he had taken the loss upon himself, and ought in Consience to loose it, during the Long time I afterwards remained at Home I

never heard any thing more about this demand and Supposed Mr Greene had given it up, and this Demand is the only one I can recollect that Mes^s Benjamin Greene and Son or Either of them could possibly Set up against me Except for the two Sums which I have allowed in the aforegoing Account Amounting both together to £676-14- and I verily beleive that the remaining part of the Claims Set up by and allowed to the Said Benj^a Greene or to the Said Benj^a Greene and Son amounting altogether to £563-10-11 was not due at the time the Claim was made, or any part thereof, and that I did not at that time owe to the Said Benjamin Greene or to the Said Benjamin Greene and Son or both of them together more than the Said Sum of £676-14/ as is before Stated

JOHN CHANDLER

(*Endorsed*)

John Chandler's
Affidavit as to
Incumbrances

[Number 96.]

Transcriber's Note.

[Duplicate of the foregoing letter of 30 August, 1788, and its enclosure, endorsed:—]

John Chander —
Ans^r to the Charge ag^t his
Estates of Debts due —
6 Nov^r 1788 —

Duplicate already
received & considered —

[Number 97.]

[From Audit Office, Loyalist series, Volume 81.]

(In a "report," 4 November 1787 [by Mr Anstey] upon ye "subject of Confiscation" one sentence alludes to Mr Chandler thus:—) "I beg leave to refer the Board

to the Act respecting John Chandler passed 28 June 1781 and to a Paper marked N° 2 containing Abstracts of all the Acts of Naturalization passed before the Close of the Session of the last General Court."

(The paper N° 2 referred to follows that report but the entry touching John Chandler is simply as follows :)
 "Chandler John vide Law of the State referred to in the report "

[Number 98.]

(From Vol. 82. N° 1, p. 1.)

Alphabetical List

of the Names of Persons who have lost
 Property real or personal more or less
 by way of Forfeiture and Confiscation
 in the State of Massachusetts Bay. N. A.

.
.
Chandler John	W.	H.				
.
.

(*Endorsed on the back*)

Massachusetts

Certified List of all the
 Persons who have sustained
 Loss of Property more or
 less by way of Forfeiture
 and Confiscation.

N° 9

31 October 1787
 Com^{rs} London.

[Number 99.]

(Audit Office, Loyalist series, Volume 82, N° 3, p. 16.)

[A duplicate of Number 93.]

[Number 100.]

(From Volume 83.)

(On folio 2 is a Certificate from the Clerk of the Common Pleas “relative to Judgment on Libels against Absentees” John Chandler’s being one of the twenty names given.)

(On folios 46 & 47 are two writs of Worcester County same as pages 129 and 153, [Numbers 62 and 63 Calendar.])

(At folio 75, part of a long paper of “Claims against Absentees’ estates” are two leaves devoted to John Chandler but as the same information appears as Exhibit 2, pages 325 to 327 of these transcripts [Number 94, Calendar] they are not here repeated. At the end however of the 2^d leaf is what seems to be some additional information.) [This additional information is a copy of the report of the Commissioners to examine Claims given in No. 30, probate files.]

[Number 101.]

(Extract from Volume 109 the Commissioners Liquidation Book)

PROPERTY

N° of Certificate	111
Name of Claimant	Chandler John
Province	Massa :

Claim for loss of property	11,067-13
Sum Originally allowed	7949-
Sum as allowed on Revision	7221-
pr. Centage to be deducted pr. Act of Parliament	
Total Sum payable under Act of Parliament	7221-
Sum already received	3179-12
Ballance after such Receipt	4041 -8
Deduction on account of Pension	60-
Final Ballance	3981- 8

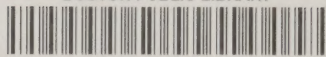
INCOME

Claim for loss of Income per Annum . .	25
Sum allowed for loss of Income pr. Annum	24
Pension under the Address of the Ho. of Commons of 9 June 1788	12

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